

LICENSING SUB-COMMITTEE

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

Thursday, 21 April 2011

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Addis
Councillor Excell

Councillor Stocks

Our vision is for a cleaner, safer, prosperous Bay

For information relating to this meeting or to request a copy in another format or language please contact:

Lisa Warrillow, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207064

Email: democratic.services@torbay.gov.uk

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 Committee.

3. **Minutes**

To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 24 March 2011.

(Pages 1 - 8)

4. **Declarations of interests**

(a) To receive declarations of personal interests in respect of items on this agenda

For reference: Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of personal prejudicial interests in respect of items on this agenda

For reference: A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial 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 Democratic Services or Legal Services prior to the meeting.)

5. **Urgent items**

To consider any other items that the Chairman decides are urgent.

6. **Paddy's Bar and Restaurant, 107 Winner Street, Paignton**

To consider Report 90/2011 on an application for review of a Premises Licence in respect of Paddy's Bar and Restaurant, 107 Winner Street, Paignton.

(Pages 9 -
120)

- 7. Suspension of Hackney Carriage Driver's Licence - Mr Paul Stone** (Pages 121 -
To consider Report 91/2011 on the suspension of a Hackney Carriage
Driver's Licence. 162)
- 8. Suspension of Hackney Carriage Driver's Licence - Mr Dariush Zarezadeh** (Pages 163 -
To consider Report 92/2011 on the suspension of a Hackney Carriage
Driver's Licence. 204)

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Minutes of the Licensing Sub-Committee

24 March 2011

-: Present :-

Councillors Addis, Excell and Pentney

638. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

639. Minutes

The Minutes of the meetings of the Sub-Committee held on 3 and 10 March 2011 were confirmed as a correct record and signed by the Chairman.

640. Suspension of Hackney Carriage Driver's Licence - Mr Christopher Mallett

Members considered Report 80/2011 which sought a suspension of a Hackney Carriage Driver's Licence in respect of Mr Christopher Mallett.

Written representations received from:

Name	Details	Date of Representation
Parking Operations Officer	Representation regarding illegal parking by taxis in Torbay.	28 January 2010
Police	Representation confirming events over a nine month period on The Strand, Torquay involving taxi drivers.	4 February 2010
Public Transport Officer	Briefing paper regarding taxi parking on The Strand, Torquay and the impact on bus drivers.	27 January 2010
Operations Manager – Torbay Stagecoach South West	Representations confirming ongoing problems with taxis parking at The Strand, Torquay bus stops.	28 January 2010, 9 February 2007, 4 July 2006
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers updating them on the current	16 January 2009

Licensing Sub-Committee Thursday, 24 March 2011

	situation regarding the taxi ranks and bus bays on the harbour side.	
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers updating them on the current situation regarding the taxi ranks and bus bays on the harbour side.	3 April 2009
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Driver's regarding the non-observation of Road Traffic Orders by some Hackney Carriage Drivers.	4 December 2009
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers informing them of the arrangements for taxi ranks at Vaughan Parade and The Strand, Torquay.	31 August 2010
Parking Operations Officer	A photograph showing a taxi parked illegally.	15 October 2010
Licensing Support Officer	Letter sent to Mr Mallett regarding illegal parking on Union Street, Torquay.	25 October 2010
Parking Operations Officer	Four photographs showing a taxi parked illegally, one enforcement report and two extracts of the Parking Operations Officer notebook.	20 October 2010 26 October 2010 2 February 2011 8 February 2011
Licensing Support Officer	Letter sent to Mr Mallett regarding illegal parking on Union Street, Torquay.	9 February 2011
Respondent	Email from Mr Christopher Mallett responding to a letter sent by the Licensing Support Officer, dated 9 February 2011, explaining the circumstances of the incidents.	14 February 2011
Licensing Support Officer	Two Torbay Taxi Rank Reports, table detailing observations of Taxi's parked in a Rank from 22:59 to 23:43 and 00:22 to	18 February 2011 19 February 2011

Licensing Sub-Committee Thursday, 24 March 2011

	00:37.	
	Plan of Road Traffic Orders in place on Torquay harbour side.	
	Spreadsheet showing percentage of Taxi Rank space on Torquay harbour side.	
	Hackney Carriages and Private Hire Vehicles Byelaw 8.	

Oral representations received from:

Name	Details
Environmental Health Manager (Commercial)	The Environmental Health Manager (Commercial) outlined the Council's case, as set out in Report 80/2011.
Respondent	The Respondent explained the circumstances surrounding his breaches of the Road Traffic Orders and byelaw and responded to Members' questions.

Reason for Decision:

That Mr Christopher Mallett's Hackney Carriage Driver's Licence be suspended for a period of seven days on the ground of 'any reasonable cause', as in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for Decision:

Having carefully considered all the written and oral Representations put before the Sub-Committee, Members resolved this ground to be established following the number of warning letters that had been issued from the Principal Safety and Licensing Officer (dated 16 January 2009, 3 April 2009, 4 December 2009 and 31 August 2010) and the Licensing Support Officer (dated 25 October 2010 and 9 February 2011) raising awareness of the concerns of public safety by drivers parking illegally in Torquay. Mr Mallett confirmed that he had received these warning letters and was aware of point 19 of Section 1, Part B of the Hackney Carriage and Private Hire Drivers Handbook which states:

'The number of vehicles stationed at any rank must not exceed the number for which the rank is appointed at any time. If a rank is full at time of a vehicles' arrival at a rank then the driver must proceed to the next available rank.'

Members noted Mr Mallett's oral and written admission, as dated 14 February 2011 that he had parked not in accordance with the Road Traffic Orders or Byelaw 8 and

that he had not followed the direction, as specified in the Hackney Carriage and Private Hire Drivers Handbook

In concluding Members were satisfied that Mr Mallett had been given sufficient warnings but despite this had parked illegally on 15 October 2010, on two separate occasions on 20 October 2010, on 26 October 2010, on 2 February 2011, on two separate occasions on 8 February 2011, and 18 February 2011 and again on 19 February 2011 whereby he caused an obstruction to the highway.

Members felt that the suspension was a proportionate and necessary response to the breach of the Road Traffic Orders and Byelaw 8 in an attempt to ensure public safety.

641. Suspension of Hackney Carriage Driver's Licence - Mr Albert Boyne

Members considered Report 81/2011 which sought to suspend a Hackney Carriage Driver's Licence in respect of Mr Albert Boyne.

Written representations received from:

Name	Details	Date of Representation
Parking Operations Officer	Representation regarding illegal parking by taxis in Torbay.	28 January 2010
Police	Representation confirming events over a nine month period on The Strand, Torquay involving taxi drivers.	4 February 2010
Public Transport Officer	Briefing paper regarding taxi parking on The Strand, Torquay, and the impact on bus drivers.	27 January 2010
Operations Manager – Torbay Stagecoach South West	Representations confirming the ongoing problems with taxis parking at The Strand bus stops.	28 January 2010 9 February 2007 4 July 2006
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers regarding the use of The Strand, its taxi rank, the adjacent bus bay and the roundabout.	16 January 2009
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers updating them on the current	3 April 2009

Licensing Sub-Committee Thursday, 24 March 2011

	situation regarding the taxi ranks and bus bays on the harbour side.	
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers regarding the non-observation of Road Traffic Orders by some Hackney Carriage Drivers.	4 December 2009
Principal Safety and Licensing Officer	Representation sent to all Hackney Carriage Drivers informing them of the arrangements for taxi ranks at Vaughan Parade and The Strand, Torquay.	31 August 2010
Parking Operations Manager	Taxi/Private Hire Parking Report Form.	7 October 2010 and 15 October 2010
Parking Operations Manager	Three photographs showing taxi parked illegally.	7 October 2010 and 15 October 2010
Licensing Support Officer	Letter sent to Mr Boyne regarding illegal parking on Union Street, Torquay.	19 October 2010
Licensing Support Officer	Notes from Parking Operations Officer Notebook.	8 February 2011
Licensing Support Officer	Letter sent to Mr Boyne regarding queuing/parking offence and inviting his comments.	9 February 2011
	Hackney Carriages and Private Hire Vehicles Byelaw 8.	
Respondent	Letter explaining the circumstances of the incidents.	Received 18 February 2011

Oral representations received from:

Name

Details

Environmental Health Manager (Commercial)

The Environmental Health Manager (Commercial) outlined the Council's case, as set out in Report 81/2011 and the reasons for recommending that the Respondent be suspended for three days.

Licensing Sub-Committee Thursday, 24 March 2011

Respondent Mr Boyne explained the circumstances surrounding his breaches of the Road Traffic Orders and Byelaw and confirmed that he had received the warning letters which were issued on 16 January 2009, 3 April 2009, 4 December 2009 and 31 August 2010.

Respondents Response to Representations:

With the Licensing Sub-Committee's consent, the Respondent circulated a photo showing a security van parking on the taxi rank on Union Street rather than parking in the designated loading bay.

Decision:

That Mr Albert Boyne's Hackney Carriage Driver's Licence be suspended for a period of three days on the ground of 'any other reasonable cause', as in accordance with Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976.

Reason for Decision:

Having carefully considered all the written and oral Representations put before the Sub-Committee, Members resolved this ground to be established following the number of warning letters that had been issued from the Principal Safety and Licensing Officer (dated 16 January 2009, 3 April 2009, 4 December 2009 and 31 August 2010) and the Licensing Support Officer (dated 19 October 2010 and 9 February 2011) raising awareness of the concerns of public safety by drivers parking illegally in Torquay. Mr Boyne confirmed that he had received these warning letters.

Members noted Mr Boyne's oral and written admission, as received on the 18 February 2011 that he had parked not in accordance with the Road Traffic Orders or Byelaw 8 and were satisfied by the evidence given that despite these warnings Mr Boyne had parked illegally on 8 February 2011 and had been written to on the 19 October 2010 about a previous incident of illegal parking in the same location.

Members felt that the suspension was a proportionate and necessary response to the breach of the Road Traffic Orders and Byelaw 8 in an attempt to ensure public safety.

642. Application for Private Hire Driver's Licence

Members considered an application for a Private Hire Drivers Licence as set out in exempt Report 82/2011.

Written representations received from:

Name	Details	Date of Representation
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Licensing Sub-Committee Thursday, 24 March 2011

Applicant	Application from the Applicant including two letters from Strathclyde Police to North Lanarkshire Council.	28 September 2010 7 November 2007 7 November 2007
Applicant	Criminal Records Bureau check.	19 October 2010
Licensing Support Officer	Letter refusing the Application for a Private Hire Drivers Licence.	2 November 2010
Applicant	Letter from the Applicant explaining the circumstances of his criminal convictions and the changes he has made to his life since 2004.	8 November 2010
Licensing Support Officer	Letter to the Applicant setting out information required from North Lanarkshire Council.	15 November 2010
North Lanarkshire Council	Letter confirming the details of the Licences held by the Applicant.	1 February 2011
Environmental Health Manager (Commercial)	Letter to the Applicant informing him that information had been received from North Lanarkshire Council. The letter also advised the Applicant of Torbay Council's position regarding the Taxi Policy in relation to convictions and as such, his application will go before a Licensing Committee for a decision.	24 February 2011

Oral representations received from:

Name	Details
Environmental Health Manager (Commercial)	The Environmental Health Manager (Commercial) outlined the Council's case, as set out in exempt Report 82/2011.
Applicant	The Applicant outlined the circumstances surrounding his criminal convictions and the reasons he wished to apply for a Private Hire Drivers Licence. The Applicant also responded to Members questions.

Decision:

That the Applicant, as named in exempt Report 82/2011 be granted a Private Hire Drivers Licence.

Reason for Decision:

Having carefully considered all the written and oral Representations Members resolved to grant the Private Hire Drivers Licence, despite it being a departure from the Council's Policy and not in accordance with the Officers recommendation, for the following exceptional reasons:-

There have been no recorded criminal convictions since 11 February 2004. Although Members did note the significant number of offences for dishonesty, there were no offences of physical violence against a person or offences of a sexual nature.

The Applicant has held a Taxi Drivers Licence, as granted by North Lanarkshire Council since 29 August 2007 and a Private Hire Operators Licence, as granted by North Lanarkshire Council since 15 December 2007, as stated in correspondence from North Lanarkshire Council dated 1 February 2011. Members also noted the absence of evidence to suggest incidents of concern had occurred since the granting of these Licences.

Members were reassured by the Applicant's oral submission that he no longer drinks alcohol and has a supportive family which he wishes to be reunited with by seeking employment in this area.

In reaching this decision, Members principal reason for granting this application was to give the Applicant an opportunity of a second chance.



Briefing Report No: **90/2011**

Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Review of a Premises Licence for Paddy’s Bar and Restaurant, 107 Winner Street, Paignton**

Wards Affected: **Roundham with Hyde**

To: **Licensing Sub- Committee** On: **21 April 2011**

Contact Officer: **Mandy Guy**
Telephone: **01803 208124**
E.mail: **Licensing@torbay.gov.uk**

1. Key points and Summary

- 1.1 To consider and determine the above application for Review of a Premises Licence.
- 1.2 The matter may affect the Corporate Priorities of Community Prosperity and Economic Prosperity.
- 1.3 As the Licensing Authority has no powers under the Act to raise a Representation, Officers are unable to make any recommendation.
- 1.4 The matters raised relate to the Licensing Objectives “The Prevention of Crime and Disorder”, “Public Safety” and “The Prevention of Public Nuisance”.
- 1.5 The Authority must hold a hearing to consider the application and any relevant Representations.

The Authority must, having regard to the application and any relevant Representations, take such of the steps as detailed below, if any, as it considers necessary for the promotion of the Licensing Objectives.

The steps are –

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the Designated Premises Supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

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

If the licence is subject to sections 19, 20 and 21 (requirement to include certain conditions in Premises Licences) they remain.

Where the Authority takes a step to modify the conditions or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

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

2. Introduction

- 2.1 An application has been made under Section 51 of the Act for a Review of the Premises Licence, at the Premise detailed above. Details of the application are shown in Appendix 1.

A brief description of the Review is as follows.

The Police have sought a Review of the Premises Licence on grounds relating to the Licensing Objectives, The Prevention of Crime and Disorder, Public Safety and The Prevention of Public Nuisance.

The Police have supplied supporting information relating to the Review, shown in Appendix 2.

A copy of the current Premises Licence is shown in Appendix 3.

- 2.2 Torbay Council as the Licensing Authority, is satisfied that the application has been properly made, that the Applicant is a Responsible Authority, and that the administrative requirements of Section 51(3)(a) and (b) have been met and that the Representation has not been subsequently withdrawn and is not vexatious, frivolous or repetitious.

There have been no Representations from any other Responsible Authority or any Interested Party.

We have received a letter from one of the holders of the Premises Licence in response to the Review. This is shown as Appendix 4.

- 2.3 The Authority is required to conduct a hearing by the provisions of Section 52(2).
- 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 Representations and the procedure to be followed at the hearing.
- 2.5 Once the matter is determined, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 8(2) of Schedule 5 to :-
- (a) the Applicant for the Review,
 - (b) the holder of the Premises Licence, or
 - (c) any other person who made relevant Representations in relation to the application.

In the event that an Appeal is entered, the determination will not have affect until the Appeal is either determined or withdrawn.

- 2.6 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 an order as to costs as it thinks fit.

Frances Hughes
Executive Head Community Safety

Appendices

- | | |
|------------|--|
| Appendix 1 | Details of the application for Review. |
| Appendix 2 | Details of supporting information from the Police. |
| Appendix 3 | A copy of the Premises Licence. |
| Appendix 4 | Letter from one of the holders of the Premises Licence in response to the Review |

Documents available in members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2011.

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Superintendent James NYE

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Paddy's Bar and Restaurant 107 Winner Street	
Post town Paignton	Post code (if known) TQ3 3BP

Name of premises licence holder or club holding club premises certificate (if known) Patrick Joseph WALSH and Sandra Ann WALSH
--

Number of premises licence or club premises certificate (if known) Premises Licence No 459
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises

- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Devon and Cornwall Constabulary PO Box 1 PAIGNTON Devon TQ3 2YF
Telephone number (if any) 01803 841327
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

The grounds for the review are:

Numerous incidents of crime and disorder and drunkenness of customers linked to the premises, together with police concerns re the suitability of the DPS to manage premises in a responsible manner and co-operate fully with police during the course of their enquiries.

Please provide as much information as possible to support the application
(please read guidance note 2)

16/02/10 - A drunk female was assaulted in Palace Avenue, Paignton. The three female offenders for this crime were eventually located in Paddy's Bar and all three were described as 'very drunk'. According to witnesses, there was a disturbance initially in the pub which spilled out onto the street. During the course of the assault the victim was dragged along the pavement, held down by a female whilst being kicked in the head and hit on the head with a stiletto shoe by the other female offenders.

05/06/10 - Assault on the premises whereby a male has hit another male with a pint glass causing serious injuries. Those involved were drunk. DPS and staff assisted police at the scene.

07/06/10 - Assault on the premises whereby a male received an injury to his right ear. Aggrieved would not co-operate with police or provide any statement or details of offender. CCTV of the incident was available but Mr WALSH unable to burn footage onto a disc.

11/06/10 - Male arrested for being drunk and disorderly directly outside the premises. It transpired he had been drinking in Paddy's Bar and was the subject of a Drinking Banning Order at 2 pubs in Torquay.

18/06/10 - Police called to premises regarding a male customer refusing to leave. Police attended and male removed.

13/08/10 - Police called to premises following a report of a fight inside. On arrival the offender had made off from the scene and the victim refused to co-operate with police. CCTV was checked and was found to be of poor quality and as a result vital evidence was not available. Numerous customers in the premises refused to assist police enquiries. DPS was not present at the time of this incident.

05/11/10 - Female arrested outside her home address in Queen Elizabeth Drive, Paignton, for being drunk and incapable. She was taken to Torbay Hospital for assesment and detained overnight. Female is an alcoholic and stated that she had been drinking all evening at Paddy's Bar. DPS seen following this incident and agreed she had been drinking heavily at his premises. He was warned re serving drunks.

21/11/10 - Charity box stolen from within premises. On police arrival four persons were present in the bar and all were described as 'intoxicated'. Mr WALSH arrived at the premises to operate the CCTV system and he was also described as 'heavily intoxicated'. During the course of the police investigation, difficulties were experienced by the investigating officer to access and view CCTV. CCTV was very poor quality and two offenders could clearly be seen but due to the poor quality could not be identified. Consequently this crime remains undetected. Furthermore, Mr WALSH and his staff could not download CCTV images and provide police with a copy.

23/11/10 - Aggressive, drunken male refused service of alcohol by bar staff and he then assaulted a member of staff. Police called, male arrested and charged with assault.

09/12/10 - Licensing Form L10 received from PC Le Messurier raising concerns regarding the provision of CCTV from Paddy's Bar in relation to an incident that occurred at the premises on 23/11/10 (see above). Mr Walsh was described as extremely unhelpful and showed no urgency in providing the CCTV footage. He

stated he did not know how to download from the system and did not know how to get in contact with his CCTV suppliers. CCTV was eventually provided on 16/01/11.

14/01/11 - Superintendent R BAKER wrote a letter to Mr WALSH concerning CCTV issues and Mr WALSH being drunk on his premises.

16/01/11 - Copy email received from Carrie BABBAGE (Torbay Council Licensing Officer) concerning complaints of after hours drinking, disorder, noise and public nuisance issues from a local resident.

16/01/11 - Police attended an incident at the premises at 0039 hrs, following a complaint from a resident that the DPS of Paddy's Bar was taking pictures and videoing them on his mobile phone through the premises windows. On police arrival it was established that the mobile phone did not have a camera, but Mr WALSH could not account for his actions and was clearly very intoxicated. Initially Mr WALSH refused police admittance to his premises and was very anti-police in his attitude.

24/01/11 - Meeting at Paignton Police Station between Superintendent J NYE, Mr WALSH, Neil Stanlake (Police Licensing Officer) and Julie Smart (Police Licensing Officer). Police concerns re the management of Paddy's Bar raised with Mr WALSH and he was warned that further action will be taken if the concerns were not addressed and that his premises would be closely monitored for the foreseeable future. Following the meeting a letter was sent to Mr WALSH re-iterating the matters discussed.

31/01/11 - Police attended the premises during a routine visit. DPS present but the officer formed the opinion that he was drunk and not in a fit state to run his premises.

05/02/11 - Local police officer carried out routine check of premises and noticed numerous persons smoking in the rear area of the bar. The officer did not consider that this area was compliant with the Smoke-free (Premises and Enforcement) Regulations 2006.

15/02/11 - Routine visit by police officer who spoke to the DPS and although she did not consider he was drunk, she formed the opinion that he had been drinking heavily.

23/02/11 - Neil Stanlake, Police Licensing Officer, attended premises and requested the DPS to provide a specimen copy of CCTV. DPS subsequently provided this but still the quality and images are not to evidential standard.

28/02/11 - At the request of the police a council officer attended the premises to inspect the provisions at the premises for smokers. The officer did not consider that the area designated for smokers complied with the requirements of the law.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day

Month

Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

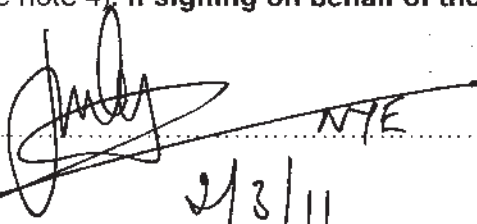
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

 NTE

Date

2/3/11

Capacity Superintendent

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Neil Stanlake
Police Licensing Officer
Licensing Department
Devon and Cornwall Constabulary
PO Box 1

Post town
Paignton

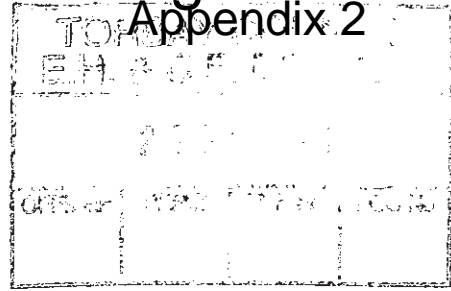
Post Code
TQ3 2YR

Telephone number (if any) 01803 841327

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.



DEVON & CORNWALL
CONSTABULARY

REVIEW OF PREMISES **LICENCE**

Paddy's Bar
107 Winner Street
PAIGNTON
TQ3 3BP

**INDEX TO REVIEW BUNDLE –
PADDYS BAR, 107 WINNER STREET, PAIGNTON**

	Page
Review Application dated 02/03/11	1 – 8
Incident Report and Log re incident on 16/02/10	9 – 17
Incident Report, Log and Herald Express Article re incident on 05/06/10	18 – 23
Incident Report and Log re incident on 07/06/10	24 – 28
Incident Report re incident on 11/06/10	29 – 30
Incident Report and Log re incident on 18/06/10	31 – 34
Incident Report, Log and Crime Report re incident on 13/08/10	35 – 42
Incident Report re incident on 05/11/10	43 – 44
Incident Report, Log and Crime Report re incident on 21/11/10	45 – 55
Incident Report and Log re incident on 23/11/10	56 – 60
Incident Report, Log and associated correspondence re incident on 23/11/10	61 – 68
Letter from Superintendent Baker to Mr Walsh re concerns at premises dated 14/01/11	69 – 70
Email complaint received from local resident	71

Incident Report, Statement of PC Vallins and Log re incident on 16/01/11	72 – 78
Minutes of Meeting held at Paignton Police Station on 24/01/11	79 – 80
Letter from Superintendent Baker to Mr Walsh following meeting at Paignton Police Station	81
Incident Report re incident on 31/01/11	82 – 83
Incident Report re incident on 05/02/11	84
Incident Report and copy email re incident on 15/02/11	85 – 87
Food Safety Inspection Report re smoking area	88

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Superintendent James NYE

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Paddy's Bar and Restaurant 107 Winner Street	
Post town Paignton	Post code (if known) TQ3 3BP

Name of premises licence holder or club holding club premises certificate (if known) Patrick Joseph WALSH and Sandra Ann WALSH
--

Number of premises licence or club premises certificate (if known) Premises Licence No 459
--

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Devon and Cornwall Constabulary PO Box 1 PAIGNTON Devon TQ3 2YF
Telephone number (if any) 01803 841327
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The grounds for the review are:

Numerous incidents of crime and disorder and drunkenness of customers linked to the premises, together with police concerns re the suitability of the DPS to manage premises in a responsible manner and co-operate fully with police during the course of their enquiries.

Please provide as much information as possible to support the application
(please read guidance note 2)

16/02/10 - A drunk female was assaulted in Palace Avenue, Paignton. The three female offenders for this crime were eventually located in Paddy's Bar and all three were described as 'very drunk'. According to witnesses, there was a disturbance initially in the pub which spilled out onto the street. During the course of the assault the victim was dragged along the pavement, held down by a female whilst being kicked in the head and hit on the head with a stiletto shoe by the other female offenders.

05/06/10 - Assault on the premises whereby a male has hit another male with a pint glass causing serious injuries. Those involved were drunk. DPS and staff assisted police at the scene.

07/06/10 - Assault on the premises whereby a male received an injury to his right ear. Aggrieved would not co-operate with police or provide any statement or details of offender. CCTV of the incident was available but Mr WALSH unable to burn footage onto a disc.

11/06/10 - Male arrested for being drunk and disorderly directly outside the premises. It transpired he had been drinking in Paddy's Bar and was the subject of a Drinking Banning Order at 2 pubs in Torquay.

18/06/10 - Police called to premises regarding a male customer refusing to leave. Police attended and male removed.

13/08/10 - Police called to premises following a report of a fight inside. On arrival the offender had made off from the scene and the victim refused to co-operate with police. CCTV was checked and was found to be of poor quality and as a result vital evidence was not available. Numerous customers in the premises refused to assist police enquiries. DPS was not present at the time of this incident.

05/11/10 - Female arrested outside her home address in Queen Elizabeth Drive, Paignton, for being drunk and incapable. She was taken to Torbay Hospital for assesment and detained overnight. Female is an alcoholic and stated that she had been drinking all evening at Paddy's Bar. DPS seen following this incident and agreed she had been drinking heavily at his premises. He was warned re serving drunks.

21/11/10 - Charity box stolen from within premises. On police arrival four persons were present in the bar and all were described as 'intoxicated'. Mr WALSH arrived at the premises to operate the CCTV system and he was also described as 'heavily intoxicated'. During the course of the police investiation, difficulties were experienced by the investigating officer to access and view CCTV. CCTV was very poor quality and two offenders could clearly be seen but due to the poor quality could not be identified. Consequently this crime remains undetected. Furthermore, Mr WALSH and his staff could not download CCTV images and provide police with a copy.

23/11/10 - Aggressive, drunken male refused service of alcohol by bar staff and he then assaulted a member of staff. Police called, male arrested and charged with assault.

09/12/10 - Licensing Form L10 received from PC Le Messurier raising concerns regarding the provision of CCTV from Paddy's Bar in relation to an incident that occurred at the premises on 23/11/10 (see above). Mr Walsh was described as extremely unhelpful and showed no urgency in providing the CCTV footage. He

stated he did not know how to download from the system and did not know how to get in contact with his CCTV suppliers. CCTV was eventually provided on 16/01/11.

14/01/11 - Superintendent R BAKER wrote a letter to Mr WALSH concerning CCTV issues and Mr WALSH being drunk on his premises.

16/01/11 - Copy email received from Carrie BABBAGE (Torbay Council Licensing Officer) concerning complaints of after hours drinking, disorder, noise and public nuisance issues from a local resident.

16/01/11 - Police attended an incident at the premises at 0039 hrs, following a complaint from a resident that the DPS of Paddy's Bar was taking pictures and videoing them on his mobile phone through the premises windows. On police arrival it was established that the mobile phone did not have a camera, but Mr WALSH could not account for his actions and was clearly very intoxicated. Initially Mr WALSH refused police admittance to his premises and was very anti-police in his attitude.

24/01/11 - Meeting at Paignton Police Station between Superintendent J NYE, Mr WALSH, Neil Stanlake (Police Licensing Officer) and Julie Smart (Police Licensing Officer). Police concerns re the management of Paddy's Bar raised with Mr WALSH and he was warned that further action will be taken if the concerns were not addressed and that his premises would be closely monitored for the foreseeable future. Following the meeting a letter was sent to Mr WALSH re-iterating the matters discussed.

31/01/11 - Police attended the premises during a routine visit. DPS present but the officer formed the opinion that he was drunk and not in a fit state to run his premises.

05/02/11 - Local police officer carried out routine check of premises and noticed numerous persons smoking in the rear area of the bar. The officer did not consider that this area was compliant with the Smoke-free (Premises and Enforcement) Regulations 2006.

15/02/11 - Routine visit by police officer who spoke to the DPS and although she did not consider he was drunk, she formed the opinion that he had been drinking heavily.

23/02/11 - Neil Stanlake, Police Licensing Officer, attended premises and requested the DPS to provide a specimen copy of CCTV. DPS subsequently provided this but still the quality and images are not to evidential standard.

28/02/11 - At the request of the police a council officer attended the premises to inspect the provisions at the premises for smokers. The officer did not consider that the area designated for smokers complied with the requirements of the law.

6

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day

Month

Year

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

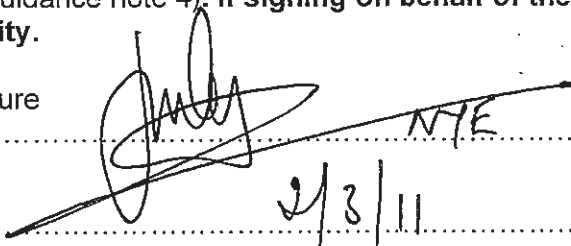
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



NTE

Date

2/3/11

Capacity Superintendent

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Neil Stanlake
 Police Licensing Officer
 Licensing Department
 Devon and Cornwall Constabulary
 PO Box 1

Post town
 Paignton

Post Code
 TQ3 2YR

Telephone number (if any) 01803 841327

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

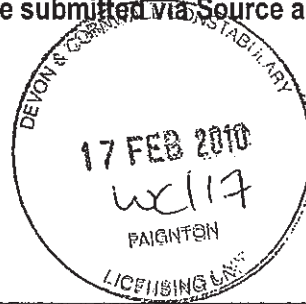
Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

File No.: AP1046	Computer URN:	Minute No.:
------------------	---------------	-------------

To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddy's Bar
Address: Winner street, Paignton

Report type: Visit Incident Other
Date: 16/2/10 Time: 0027
S Ref.: Log 17 16/2/10
Crime No.: Not crimed yet FP/10/482

Brief summary / action taken (if not recorded elsewhere):
Officers called to incident of assault. aggrieved, female drunk found distressed on Palace Ave. Member of public stated that he had seen the female be assaulted by 3 persons one of whom had kicked aggrieved to head and that he beleived offenders had come of flat next to Paddys bar.. upon attending Paddys bar a member of public in flat opposite stated that the 3 persons responsible were sat in Paddys Bar. Inside were 3 females and the landlord of the pub Patrick Walsh. all 3 persons were very drunk. according to witness there was a disturbance inside the pub which then spilled out onto the street. one the street one of the females dragged the aggrieved along the pavement and held her down whilst one female then kicked aggrieved to head and other female hit aggrieved on head with stiletto heeled shoe belonging to aggrieved. witness from flat opposite states that there are numerous problems at the premesis with lock in's and violent incidents since the present landlord took over the premesis.
All 3 females were arrested on suspicion of assault.

Submitted by: Name: Davis
Signed: _____
Force No.: 2234
Date: 16/2/10 Time: 0435

Action taken by Licensing Unit:
19/2/10. Premises visited - DSP Patrick WALSH and warned re serving drinks etc & to future conduct of his premises. He accepted my advice without argument and said "fair enough, I find the women are the worse"! FP/10/482 viewed - Assault outside premises so Ex/ordr not applicable. LIO acknowledged 19/2/10.
04/03/10 - [redacted] found guilty of Battery at TMC. 1 Year

Licensing officer: [redacted] 15/3/11 Community Order imposed. £85.00 costs. £100.00 Com.
Forwarded to Daily Tasking: [redacted] also guilty of Battery Community Order for 1 year. £85.00 costs. £100.00 Com.

Licensed Premises Visit Checklist

Additional information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS):
 Helpful Unhelpful Obstructive Other:
2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other:
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No

Method of checking the customer numbers:

5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

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OPERATOR 55311, STANLAKE CIV

URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Dte 16/02/10 Op 56222

Reported by 9 999 07817009729

Brief Incident Details

THREE IN CUSTODY (ASSAULT/ABH) **** [REDACTED]
** INCIDENT MISCONSTRUED AS A DOMESTIC IN THE STREET **

Location of Incident

Feature
Street WINNER STREET
Area PAIGNTON, DEVON Postcode
Beat FP OSGR 288491060581 Location Ref 8/1/64

Caller THIRD PARTY

Name ANON Title
House
Street

Area
Tel. No [REDACTED] Confirmed N
Time and Date of Incident 0027 16/02/10
Classification CRIME RELATED VIOLENCE
Graded Response IMMEDIATE Sec Lev 1

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Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Inf.	C	Inf.	Dealt	Wt
620	SB41N	STEVENS PC	00:30	00:32	04:07						
6643	SB41N	PERRIN PC	00:30	00:32	04:07						
38159	SB40N	DAVIS PC	00:32	00:41	04:43						
38166	SB40N	WILLIAMS PC	00:32	00:41	04:43						
6011	SB31N	AITON PC	01:12	01:40	01:52						
64	SB32N	INCE PC		01:49	02:26						
75	SB32N	NEEDHAM PC		01:49	02:26						

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URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Date 16/02/10 Op 56222 Page 1

Op	Time	Text
56222	0028 16/02/10	CLI Subscriber Details: , OAC , [REDACTED]
56222	0028 16/02/10	*MOB* ORANGE ,99,20100216002712,0, 288564, 61797, 700,
56222	0028 16/02/10	700, 80, 90.0, OSGB36
56222	0029 16/02/10	BOTH MALE AND FEMALE SHOUTING AT EACH OTHER MALE NOW
56222	0029 16/02/10	SITTING ON FEMALE ON THE FLOOR
56222	0029 16/02/10	NEAR TO PADDYS BAR
56222	0029 16/02/10	..
56222	0029 16/02/10	RP SEEMS TO THINK IT MIGHT BE THE OWNER AND HIS WIFE FRM
56222	0029 16/02/10	PADDYS
56222	0029 16/02/10	Incident Routed to Radio Operators
52263	0029 16/02/10	Incident Transfer Accepted by terminal MOER31
52263	0030 16/02/10	SB41N Dispatched
55397	0030 16/02/10	MATCHED WITH 21 (16/02/10) - REASON AS BELOW :-
55397	0030 16/02/10	FURTHER CALL
52263	0030 16/02/10	AMENITY HISTORY ADDED TO URN 3588 - TORQUAY CCTV
52263	0030 16/02/10	:-APPRISED
55397	0031 16/02/10	LOG 21 IS CALL FROM [REDACTED] NEARBY RESIDENT..REPORTS
55397	0031 16/02/10	3 FEMALES KICKING THE HELL OUT OF 1 FEMALE ON THE FLOOR
55397	0031 16/02/10	THEN DRAGGED HER AND LEFT HER NEAR THE CHARITY SHOP
55397	0031 16/02/10	.
56389	0031 16/02/10	Duplicate incident 22 (16/02/10)
56389	0031 16/02/10	Brief details of incident 22 (16/02/10)
56389	0031 16/02/10	RP STATES CONCERNS FOR FEMALE OUTSIDE RP;S FLAT OVER THE
56389	0031 16/02/10	ROAD OUTSIDE
56389	0031 16/02/10	THE CHARITY SHOP
52263	0031 16/02/10	MATCHED WITH 20 (16/02/10) - REASON AS BELOW :-
52263	0031 16/02/10	SAME INCIDENT
55397	0032 16/02/10	FROM LOG 21 OFFENDERS..W/F SHORT HAIR BROWN JACKET AND
55397	0032 16/02/10	BLUE JEANS...W/F SHORT HAIR BLUE/RED JACKET AND JEANS..
55397	0032 16/02/10	W/F BLACK JACKET AND JEANS...FIRST 2 FEMALE DESCRIBED AS
55397	0032 16/02/10	LOOKING LIKE MEN
55397	0032 16/02/10	..
56389	0032 16/02/10	FM MOW93 MATCHED LOG - FEMALE SLUMPED IN DOORWAY OF
56389	0032 16/02/10	CHARITY SHOP.. SECURITY CAMERA OUTSIDE , FEMALE HAS NO
56389	0032 16/02/10	SHOES ON.
55397	0032 16/02/10	RP ON LOG 21 VERY CONCERNED FEMALE APPEARED TO BE GETTIN
55397	0032 16/02/10	A HEAVY BEATING
55397	0032 16/02/10	.
56389	0032 16/02/10	.
52263	0032 16/02/10	SB41N Arrived at Incident
52263	0032 16/02/10	SB40N Dispatched
52263	0034 16/02/10	WC * AIO
52263	0034 16/02/10	*****
55397	0034 16/02/10	Job 1: - WITNESS [REDACTED]

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URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Date 16/02/10 Op 56222 Page 2

Op	Time	Text
56075	0037 16/02/10	MOE45 - FROM AMB FEMALE ASSAULTED BY PEOPLE IN PALACE
56075	0037 16/02/10	AVENUE AND THE AGGRIEVED IS IN THE POLICE CAR AT THIS
56075	0037 16/02/10	TIME. THE AMB CALLER IS USING THE TK IN PALACE AVENUE.
56075	0037 16/02/10	Incident Switch to Terminal MOER31
56075	0037 16/02/10	AS ABOVE TKS
56075	0037 16/02/10	Incident Switch
56075	0037 16/02/10	AMB ENROUTE TO SEE FEMALE.
56075	0037 16/02/10	AMB REF NUMBER 4868484
52263	0037 16/02/10	Incident Switch Accepted by Terminal MOER31
52263	0039 16/02/10	Allocate Free Text Incident's Job
52263	0041 16/02/10	SB40N Arrived at Incident
52263	0046 16/02/10	*** PNC screen captured - 1 to Log
52263	0047 16/02/10	**** CIS N376471 REFERS ****
52263	0047 16/02/10	WC * NEGATIVE
52263	0053 16/02/10	Update Existing Associated Person
52263	0053 16/02/10	[REDACTED] - AGGRIEVED
52263	0053 16/02/10	Location Amended from WINNER STREET PAIGNTON,DEVON
52263	0055 16/02/10	**** [REDACTED] HAS BEEN HOSPITALISED DESPITE HER
52263	0055 16/02/10	SAYING THAT SHE HAS NOT BEEN INJURED ALTHOUGH HER FACIAL
52263	0055 16/02/10	INJURIES STATE OTHERWISE ****
52263	0055 16/02/10	** OFFICERS ARE TRYING TO LOCATE OFFENDER **
52263	0102 16/02/10	Update Existing Associated Person
52263	0102 16/02/10	[REDACTED] - INTEREST
52263	0104 16/02/10	**** [REDACTED] REFERS ****
52263	0104 16/02/10	WC * NEGATIVE
52263	0104 16/02/10	**** NO TRACE PNC ****
52263	0104 16/02/10	*** PNC screen captured - 2 to Log
52263	0104 16/02/10	**** [REDACTED] REFERS ****
52263	0104 16/02/10	WC * NEGATIVE
52263	0105 16/02/10	Update Existing Associated Person
52263	0105 16/02/10	[REDACTED] - INTEREST
52263	0106 16/02/10	*** PNC screen captured - 3 to Log
52263	0106 16/02/10	**** CIS N104507 REFERS ****
52263	0106 16/02/10	WC * NEGATIVE
52263	0107 16/02/10	Update Existing Associated Person
52263	0107 16/02/10	[REDACTED] - INTEREST
52263	0109 16/02/10	***** THREE IN CUSTODY *****
52263	0109 16/02/10	Job No. 1 Updated
52263	0112 16/02/10	Update Existing Associated Person
52263	0112 16/02/10	[REDACTED] - OFFENDER
52263	0112 16/02/10	SB31N Dispatched
52263	0113 16/02/10	Update Existing Associated Person
52263	0113 16/02/10	[REDACTED] - OFFENDER
52263	0114 16/02/10	Update Existing Associated Person

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URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Date 16/02/10 Op 56222 Page 3

Op	Time	Text
52263	0114 16/02/10	[REDACTED] - OFFENDER
52263	0114 16/02/10	View Incident 902,15/03/07
52263	0120 16/02/10	Job 2: - FORM 41 **** CRIME COMPLAINT REPORT
52263	0120 16/02/10	Job 3: - "YOU MATTER - WE CARE" BOOKLET
52263	0120 16/02/10	Incident Switch to Terminal MOEA
52263	0120 16/02/10	INCORRECT TYPE - VIOLENCE
52263	0120 16/02/10	Incident Switch
51969	0133 16/02/10	Incident Switch Accepted by Terminal MOERS4
51969	0133 16/02/10	Changed Class From CRIME RELATED DOMESTIC INCIDENT
51969	0133 16/02/10	Amending Incident Type
52263	0137 16/02/10	.
52263	0137 16/02/10	ARRESTING OFFICER [REDACTED] * CONSTABLE STEVENS
52263	0137 16/02/10	*****
52263	0138 16/02/10	Update Existing Associated Person
52263	0138 16/02/10	[REDACTED] - OFFENDER
52263	0138 16/02/10	Personal Details Updated Only
52263	0140 16/02/10	SB31N Arrived at Incident
52263	0142 16/02/10	Incident Brief Details Amended from :
52263	0142 16/02/10	[DOMESTIC IN THE STREET]
52263	0142 16/02/10	Incident Brief Details Amended from :
52263	0142 16/02/10	[THREE IN CUSTODY (ASSAULT/ABH) ****
52263	0142 16/02/10	[REDACTED] ** ERRONEOUSLY REPORTED AS A
52263	0142 16/02/10	DOMESTIC INCIDENT **]
52263	0143 16/02/10	Location Amended from OUT OF THIS WORLD,109 WINNER STREE
52263	0143 16/02/10	PAIGNTON,DEVON
52263	0148 16/02/10	****[REDACTED] HAS SUFFERED A SMALL SLIT TO THE REAR OF HE
52263	0148 16/02/10	HEAD AND IS CURRENTLY BEING TREATED IN HOSPITAL ****
52263	0149 16/02/10	SB32N Arrived at Incident
52263	0152 16/02/10	SB31N Left Incident
52263	0159 16/02/10	ARRESTING OFFICER [REDACTED] * CONSTABLE WILLIAMS
52263	0159 16/02/10	*****
52263	0204 16/02/10	ARRESTING OFFICER [REDACTED] * CONSTABLE DAVIS
52263	0204 16/02/10	*****
52263	0223 16/02/10	Crime FP/10/482 generated from Incident
52263	0223 16/02/10	Create Crime
52263	0224 16/02/10	Job No. 2 Updated
52263	0224 16/02/10	**** AT REQUEST OF CONSTABLE STEVENS ****
52263	0226 16/02/10	SB32N Left Incident
10620	0258 16/02/10	Crime FP/10/482 has been Updated from the Incident
52263	0318 16/02/10	Update Existing Associated Person
52263	0318 16/02/10	[REDACTED] - SUSPECT
52263	0318 16/02/10	**** ABOVE ON WRONG LOG ****
16643	0355 16/02/10	.
16643	0355 16/02/10	SB50N - THIS WAS A A RATHER CONFUSING INCIDENT TO START

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URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Date 16/02/10 Op 56222 Page 4

Op	Time	Text
16643	0355 16/02/10	WITH. WE LOCATED A HYSTERICAL FEMALE ON PALACE AVENUE,
16643	0355 16/02/10	BEING TENDED TO BY [REDACTED]. THE FEMALE WAS TOO
16643	0355 16/02/10	HYSTERICAL TO PROVIDE US WITH A COMPREHENSIBLE ACCOUNT.
16643	0355 16/02/10	.
16643	0355 16/02/10	[REDACTED] STATED HE HAS SEEN A FIGHT IN WINNER ST FROM
16643	0355 16/02/10	HIS LOUNGE WINDOW INVOLVING 2 MALES AND 2 FEMALES. THIS
16643	0355 16/02/10	ACTUALLY TURNED OUT TO BE 4 FEMALES. HE STATED HE HAD
16643	0355 16/02/10	SEEN THE VICTIM STAMPED ON.
16643	0355 16/02/10	.
16643	0355 16/02/10	HE WAS ABLE TO SAY THAT THE FIGHT EMANATED FROM PADDYS
16643	0355 16/02/10	BAR AND HE BELIEVED THE OFFENDERS HAD GONE BACK INSIDE.
16643	0355 16/02/10	SUBSEQUENTLY WE ATTENDED PADDYS BAR WITH SB40N.
16643	0355 16/02/10	.
16643	0355 16/02/10	ON ARRIVAL, I CONDUCTED SOME BRIEF H2H AND LOCATED A [REDACTED]
16643	0355 16/02/10	[REDACTED] (CALLER ON MATCHED LOG). HE WITNESSED THE WHOL
16643	0355 16/02/10	INCIDENT AND AS A RESULT OF WHAT HE HAD SEEN, THREE
16643	0355 16/02/10	FEMALES WERE ARRESTED. IT APPEARS OFFENDER 1 STRUCK THE
16643	0355 16/02/10	VICTIM TO THE HEAD WITH A STILLETTO SHOE, CAUSING A 2
16643	0355 16/02/10	INCH GASH TO THE BACK OF THE VICTIMS HEAD. OFFENDER 2
16643	0355 16/02/10	STAMPED ON THE VICTIMS FACE AND OFFENDER 3 DRAGGED THE
16643	0355 16/02/10	VICTIM 20 YARDS UP THE ROAD AND DUMPED HER INTO A SHOP
16643	0355 16/02/10	SOOXX DOORWAY.
16643	0355 16/02/10	.
16643	0355 16/02/10	STATEMENTS HAVE BEEN OBTAINED FROM [REDACTED] AND [REDACTED]
16643	0355 16/02/10	[REDACTED] THE VICTIM WAS TAKEN TO HOSPITAL.
52263	0356 16/02/10	Job 4: - FORM L10 **** LICENSING REPORT
16643	0401 16/02/10	THE VICTIM IS [REDACTED], [REDACTED] OF [REDACTED]
16643	0401 16/02/10	[REDACTED] E/T WILL NEED TO ATTEND TDH AND SEE HER
16643	0401 16/02/10	IN THE MORNING.
16643	0401 16/02/10	OTHER POSSIBLE WITNESSES:
16643	0401 16/02/10	1) [REDACTED] OF [REDACTED]
16643	0401 16/02/10	[REDACTED].
16643	0401 16/02/10	2) [REDACTED] OF [REDACTED]
16643	0401 16/02/10	[REDACTED].
16643	0401 16/02/10	3) THE ANONYMOUS R/P ON THIS LOG AND ANY OTHER R/P ON TH
16643	0401 16/02/10	MATCHED LOGS.
16643	0401 16/02/10	.
16643	0401 16/02/10	ENQ'S IN THE MORNING:
16643	0401 16/02/10	1) ATTEND TDH AND SPEAK WITH VICTIM. SHE WAS
16643	0401 16/02/10	UNCOOPERATIVE, WELL IN DRINK AND TOO HYSTERICAL TO SPEAK
16643	0401 16/02/10	TO TONIGHT.
16643	0401 16/02/10	2) SPEAK TO ANY OTHER WITNESS.
16643	0401 16/02/10	3) CRIME OFFENCE - I SUSPECT THIS MAY WELL BE CRIMED AS
16643	0401 16/02/10	GBH DUE TO A WEAPON BEING USED. THEREFORE, AS PER LOCAL

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URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Date 16/02/10 Op 56222 Page 5

Op	Time	Text
16643	0401 16/02/10	POLICY, CAN BE CRIMED AFTER INTERVIEW.
16643	0401 16/02/10	.
16643	0401 16/02/10	CLOTHING HAS BEEN SEIZED FROM OFFENDERS. THE STILLETTO
16643	0401 16/02/10	SHOES WERE LOCATED IN TOWER ROAD, HIDDEN BEHIND A SMALL
16643	0401 16/02/10	WALL. CCTV CAMERAS WERE UNFORTUNATELY FACING THE WRONG
16643	0401 16/02/10	WAY AT THE TIME OF REPORT.
6643	0407 16/02/10	SB41N Left Incident
16643	0412 16/02/10	Job No. 4 Updated
376	0443 16/02/10	SB40N Left Incident
10376	0443 16/02/10	Crime FP/10/482 has been Updated from the Incident
10620	0510 16/02/10	HAND ON COMPLETED AND ON SGT'S DESK IN FP.
52263	0513 16/02/10	Job No. 3 Updated
52263	0514 16/02/10	Incident Transfer to FP=SGT1 failed - Not Logged On
52263	0514 16/02/10	Incident Transfer to FP failed - Not Logged On
52263	0514 16/02/10	Incident Transferred by terminal MOER31 to MOEA
52263	0514 16/02/10	TO FP=SGT1 PLEASE
52263	0514 16/02/10	Incident Transfer
51465	0528 16/02/10	Incident Transfer Accepted by terminal MOERS3
51465	0529 16/02/10	Defer to FP=SGT1 Date 16/02/10 Time 0534
Syscon	0534 16/02/10	Defer Time Reached
Syscon	0705 16/02/10	Overdue Time Reached
Syscon	0706 16/02/10	Overdue Time Reached
51971	0708 16/02/10	.
14387	0731 16/02/10	Crime FP/10/482 has been Updated from the Incident
56436	1111 16/02/10	Crime FP/10/482 has been linked to the Incident
13320	1323 16/02/10	Crime FP/10/482 has been Updated from the Incident
13320	1357 16/02/10	Incident Deferral Accepted by terminal FP=SGT1
13320	1358 16/02/10	APPEARS THIS IS ALL CRIMED NOW AND IS BEING DEALT WITH B
13320	1358 16/02/10	CID/PHU
13320	1358 16/02/10	Incident for closure enquiry
Syscon	1400 16/02/10	Incident For Closure Time Reached
12670	1435 16/02/10	Incident for Closure Accepted by terminal 3=BST1
12670	1435 16/02/10	Crime FP/10/482 has been Updated from the Incident
12670	1436 16/02/10	Incident Closed By Terminal 3=BST1
12670	1436 16/02/10	Incident End (Result / Close)

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INCIDENT CLOSE

URN 17 Stn MOW Vdu MOW91/3=BST1 Tme 00:27 Date 16/02/10 Op 56222
Locn WINNER STREET' PAIGNTON,DEVON

Beat FP OSGR 288491060581 CH Response IMMEDIATE
Type CRIME RELATED VIOLENCE

Detail THREE IN CUSTODY (ASSAULT/ABH) **** SMITH/NICHOLLS/PARTRIDGE
** INCIDENT MISCONSTRUED AS A DOMESTIC IN THE STREET **

Caller ANON Tel [REDACTED]

Result PERSON(S) ARRESTED Arrests 3 Briefing
Final Inc CRIME RELATED INC - RECOR VIOLENCE (R)
Type PUBLIC PLACE CLOSED BY 3 BST
Close CategoryALCOHOL RELATED (1)
Free Text
for
Briefing

Officer 2670 Name DATE PC
Call Back Required Victim Support

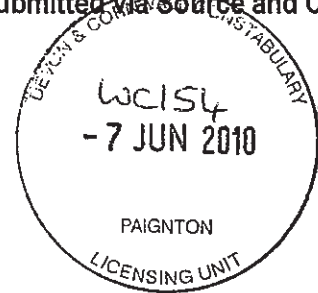
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18

File No.: AP10146	Computer URN:	Minute No.:
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddy's Bar
Address: 107 Winner Street, Paignton

Report type: Visit Incident Other I
 Date: 5/6/2010 Time: 22:00hrs
 OIS Ref.: 1131 Crime No.: FP110/1647

Brief summary / action taken (if not recorded elsewhere):
 During argument between 2 males inside the premises offender strikes victim with a pint glass causing numerous cuts to face and arm.
 Male offender arrested at the scene.

 Landlady called the police in the first instance. Landlady and landlord very helpful, fully co-operated with police in everyway possible. CCTV was made available to the police to view. Landlady provided a statement of evidence to assist with prosecution of the offender.

Submitted by: Name: PC Roberts Force No.: 11166
 Signed: Date: 6/6/2010 Time: 04:30hrs

Action taken by Licensing Unit:
 FP110/1647 viewed. Offender [redacted], 42yrs arrested Sus S18 & banded pending further enq's until 13/7/10. Crime updated re consideration of D80
 19/4/10. (TMC) (28/01/11)

Licensing officer: [Signature] 55311
 Forwarded to Daily Tasking: -

Licensed Premises Visit Checklist

Information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

Administration:

- 1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS): Paddy Walsh
 Helpful Unhelpful Obstructive Other:
- 2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
- 3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

- 1. Any violence inside / outside premises? Yes No
- 2. Any public order inside / outside premises? Yes No
- 3. Any evidence of drugs found inside / outside premises? Yes No
- 4. Any drinks promotions in operation at time of visit? Yes No
- 5. Any evidence of excessive drunkenness? Yes No

Public Safety:

- 1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other: Adequate
- 2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
- 3. Do the premises look overcrowded? Yes No
- 4. Method of checking the customer numbers:
- 5. Radio system in use? Yes No
- 6. Tables / glasses kept tidy? Yes No
- 7. Any smoking inside premises? Yes No

Public Nuisance:

- 1. Any noise or nuisance outside of premises? Yes No
- 2. Any smokers standing outside of premises? Yes No
- 3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

- 1. Any underage offences detected on the premises? Yes No
- 2. What proof of age policy is operated in the premises?
- 3. How is this publicised?
- 4. Do staff appear trained in proof of age? Yes No

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OPERATOR 55311, STANLAKE CIV

URN 1131 Stn MOE Vdu MOE95/MOER31 Tme 21:39 Dte 05/06/10 Op 51943

Reported by 9 999 01803525952
Brief Incident Details
FIGHTING - 3 MALES

Location of Incident

Feature PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON Postcode TQ3 3BP
Beat FP2C OSGR 288473060701 Location Ref 8/1/64/437

Caller THIRD PARTY

Name [REDACTED] Title MRS
House [REDACTED]
Street [REDACTED]
Area [REDACTED]

Tel. No [REDACTED] Confirmed Y

Time and Date of Incident 2139 05/06/10

Classification CRIME RELATED VIOLENCE

Graded Response IMMEDIATE Sec Lev 1

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Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Infld.	C	Infld	Dealt	Wt
1481	SB40N	BARNARD PC	21:40	21:44	00:02						
1974	SB40N	EGGAR PC	21:40	21:44	00:02						
1166	SB41N	ROBERTS PC	21:41	21:44	00:00						
620	SB41N	STEVENS PC	21:41	21:44	00:00						
1481	SB40N	BARNARD PC						00:02	05:17		
1974	SB40N	EGGAR PC						00:02	05:17		

212

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TEXT NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

URN 1131 Stn MOE Vdu MOE95/MOER31 Tme 21:39 Date 05/06/10 Op 51943 Page 1

Op	Time	Text
51943	2139	05/06/10 Routed To Radio Operator(s)
51943	2139	05/06/10 View Incident 1109,05/06/10
51943	2139	05/06/10 Duplicate Incidents Viewed
51943	2139	05/06/10 CLI Subscriber Details: , OAC , [REDACTED]
51943	2139	05/06/10 [REDACTED]
56419	2139	05/06/10 Incident Transfer Accepted by terminal MOER31
51943	2140	05/06/10 CAN HEAR LOTS OF SHOUTNG IN BACKGROUND
51943	2140	05/06/10 CALLER IS STAFF
56419	2140	05/06/10 SB40N Dispatched
56419	2141	05/06/10 SB41N Dispatched
56419	2142	05/06/10 AMENITY HISTORY ADDED TO URN 3588 - TORQUAY CCTV
56419	2142	05/06/10 :-NOTHING ONGOING OUTSIDE ATT
53157	2144	05/06/10 Duplicate incident 1141 (05/06/10)
53157	2144	05/06/10 Brief details of incident 1141 (05/06/10)
53157	2144	05/06/10 FIGHT - IN PUB - ONE MALE ON FLOOR WITH ANOTHER MALE ON
51943	2144	05/06/10 TOP OF HIM
53157	2144	05/06/10 AND 1 FEMALE TRYING TO BREAK IT UP
1974	2144	05/06/10 SB40N Arrived at Incident
56419	2144	05/06/10 SB41N Arrived at Incident
53157	2145	05/06/10 F/M MOW87 - R/P RE LOG 1141 WAS WITNESS FROM HIS PROPERT
53157	2145	05/06/10 [REDACTED] - HAPPY TO BE CONTACTED IF NEEDED BUT
53157	2145	05/06/10 ASKS IF THIS IS DONE SEPARATELY, NOT TONIGHT - [REDACTED]
53157	2145	05/06/10 OF [REDACTED]
53157	2145	05/06/10 R/P COULDN'T UNDERSTAND THAT LANDLORD WAS JUST STANDING
53157	2145	05/06/10 BY AND NOT INTERVENING
56419	2146	05/06/10 *
56419	2146	05/06/10 F/SB40N, AMB TO THIS LOCATION, ADULT MALE C & B, TWO CUT
56419	2146	05/06/10 TO HIS HEAD
56419	2146	05/06/10 PNC - [REDACTED]
56419	2147	05/06/10 *** PNC screen captured - 1 to Log
56419	2147	05/06/10 *** PNC screen captured - 2 to Log
52028	2148	05/06/10 AMENITY HISTORY ADDED TO URN 11956 - AMBULANCE CONTROL
52028	2148	05/06/10 AMB :-ENROUTE
56419	2148	05/06/10 CIS [REDACTED] REFERS
56419	2148	05/06/10 ***VIOLENT, FAILS TO APPEAR, NO MORE PND'S***
56419	2148	05/06/10 Update Existing Associated Person
56419	2148	05/06/10 Associated Person Update Failed (Associated Persons)
56419	2148	05/06/10 Update Existing Associated Person
56419	2148	05/06/10 Associated Person Update Failed (Associated Persons)
52028	2149	05/06/10 Update Existing Associated Person
52028	2149	05/06/10 [REDACTED] - AGGRIEVED
56419	2149	05/06/10 PNC - # [REDACTED]
52028	2149	05/06/10 [REDACTED]
52028	2150	05/06/10 Update Existing Associated Person

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226

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URN 1131 Stn MOE Vdu MOE95/MOER31 Tme 21:39 Date 05/06/10 Op 51943 Page 2

Op	Time	Text
52028	2150 05/06/10	[REDACTED] - INTEREST
56419	2150 05/06/10	*** PNC screen captured - 3 to Log
51465	2158 05/06/10	Job 1: - CRIME REF
56075	2158 05/06/10	SB41N - MALE THAT HAS BEEN GLASSED IN THE PUB. THAT
56075	2158 05/06/10	PERSON WITH A FACIAL INJURY THE MALE OFFENDER HAS BEEN
56075	2158 05/06/10	ARRESTED FOR A SEC 18 WILL TREATED FIRST. PENDING THE
56075	2158 05/06/10	RESULT WE HAVE A VAN ENROUTE.
56075	2214 05/06/10	SB41N - SECOND AMB CODE 6.
11166	2253 05/06/10	SB41N - OFFENDER WAS TAKEN TO HOSPITAL DUE TO HIS DRUNKE
11166	2253 05/06/10	CONDITION. VICTIM WITH MINOR FACIAL INJURY IS WALKING
11166	2253 05/06/10	WOUNDED AND DECLINED A TRIP TO THE HOSPITAL. STATEMENTS
11166	2253 05/06/10	BEING TAKEN FROM CALLER AND VICTIM.
10620	2353 05/06/10	STATEMENT TAKEN FROM VICTIM DETAILING OFFENCE.
10620	2353 05/06/10	INJURIES APPEAR TO BE FORTUNATELY MINOR WITH JUST MINOR
10620	2353 05/06/10	CUTS AND ABRASIONS ON LEFT ARM AND RIGHT HAND SIDE OF
10620	2353 05/06/10	FACE. INJURIES WERE DRESSED BY PARAMEDICS AT SCENE AND N
10620	2353 05/06/10	TRIP TO HOSPITAL WAS NECESSARY.
10620	2354 05/06/10	OFFENDER RELEASED FROM TDH AND EN ROUTE TO TORQUAY
10620	2354 05/06/10	CUSTODY.
56075	2359 05/06/10	SB40 STILL ON THIS
56075	0000 06/06/10	SB41N Redeployed to Incident 1323 05/06/10
56075	0002 06/06/10	SB40N Left Incident
56075	0002 06/06/10	SB40N Allocated to Incident
56075	0002 06/06/10	Resource Search
Syscon	0133 06/06/10	Overdue Time Reached
52263	0134 06/06/10	.
Syscon	0304 06/06/10	Overdue Time Reached
52263	0304 06/06/10	.
52263	0305 06/06/10	Job 2: - FORM L10 **** LICENSING REPORT
Syscon	0435 06/06/10	Overdue Time Reached
Syscon	0436 06/06/10	Overdue Time Reached
52263	0437 06/06/10	.
56564	0506 06/06/10	Crime FP/10/1647 has been linked to the Incident
11166	0515 06/06/10	Job Nos. 1,2 Updated
52263	0516 06/06/10	Update Existing Associated Person
52263	0516 06/06/10	[REDACTED] - OFFENDER
52263	0516 06/06/10	Incident Close/Result Failed
52263	0517 06/06/10	SB40N Allocation Cancelled
52263	0517 06/06/10	Incident Closed By Terminal MOER31
52263	0517 06/06/10	Incident End (Result / Close)
11974	0523 06/06/10	Following was entered after the Incident was Closed
11974	0523 06/06/10	Crime FP/10/1647 has been Displayed from the Incident
11481	0530 06/06/10	Crime FP/10/1647 has been Displayed from the Incident
11974	0535 06/06/10	Crime FP/10/1647 has been Displayed from the Incident

The Kitchen & Bathroom Warehouse
 Bradley Lane, Newton Abbot
 WWW.WIGNALLS.CO.UK 01626 35419

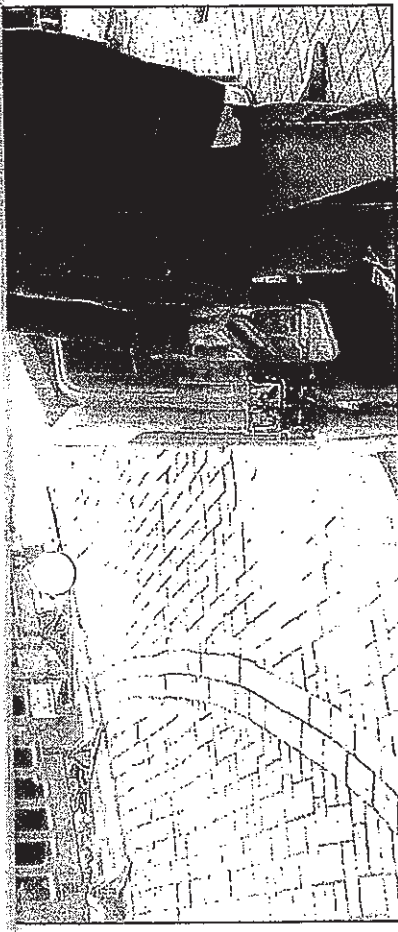


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WASTE:

Torbay Labour Party Mayoral candidate Patrick Canavan in Fleet Street next to roadworks which he claims are a waste of money

before the start of the busy Easter period.

"Regrettably in the current financial climate we are unable to carry out work along the whole of Fleet Street.

"The scheme involving just one section of the road is being undertaken as a temporary solution. We have applied to the Government for more funding through the Local Transport Plan to enable further work to be carried out at a later date."

the harbour area where we have seen considerable investment with more to come.

"I believe the council, Town Centre Company, bus users and Stagecoach should enter into discussions to see how alternative routes for buses can be found."

However, a council spokesman said: "We recognise the maintenance works will cause some inconvenience, but it is essential that we do something soon and we have programmed the work so it is done

paying £70,000 for repairs to the surface is scandalous.

"You have heavy buses travelling up and down what should be a pedestrian zone. I can understand the attraction of traders and Torquay BID wanting the street to be better laid out for trading with improved street furniture to improve the shoppers' experience. "It is not an attractive area for shoppers as it can be confusing, especially for our visitors.

"An improved Fleet Street would also help to connect Union Street to

oral candidate, who claimed it would be a 'scandalous' waste of money.

The council said that although the section of Fleet Street between Braddons Hill Road West and The Terrace will be closed to through vehicular traffic between March 7 and 11, pedestrian access will be maintained. Buses will have to be diverted but traders are being advised that access for deliveries can be maintained from either end of the works or from the Fleet Walk car park.

A council spokesman said: "The road closure is necessary because contractors will be carrying out essential work along a 255m section of Fleet Street.

"We have continually carried out costly repairs to the brick paving along the central running lane used by buses and other vehicles.

"However, damage has got to the stage where the paving, which was laid 22 years ago, will no longer lock together and must be replaced."

The bricks will be dug up and replaced by a specialist red bituminous strip.

But Mr Canavan said the whole of Fleet Street needed to be looked at, including re-routing buses.

He said: "The fact the council is

Man attacked drinker for talking to his girlfriend

A PAIGNTON man has been given a suspended prison sentence for hitting a man he thought was chatting up his girlfriend.

Ronald Winter, 42, was drinking in Paddy's Bar when he spotted a man talking to his partner. Enraged, he hit the man with a glass he was holding and the pair brawled in the bar, Exeter Crown Court heard.

But Winter came off worst in the fight and ended up on his back unconscious with the victim's foot on his throat.

Winter, whose history of violence includes beating a man who talked to his ex-wife, was spared jail by a

judge who wanted him to get help for his anger problems.

Prosecutor Ann Hampshire said the victim, Mark Wright, was known to Winter.

She said Winter lost his temper when he saw her talking to Mr Wright after becoming upset. She said: "The defendant then in anger strikes Mr Wright in the face. At the time he was holding a glass."

Mr Wright later said he felt the glass hitting the side of his face. The pair wrestled and Winter was taken to the floor. Mr Wright restrained him by putting his foot to this throat.

"When the police arrived they found the defendant seemingly un-

conscious on the floor," said Miss Hampshire.

"He was taken to hospital rather than Mr Wright. He was examined and taken into custody."

Winter told police he could not remember what had happened because he had drunk eight or nine pints.

Drunkenness

He said on a scale of drunkenness this represented a six out of ten for him.

Winter has previous convictions for alcohol-fuelled violence including the battery in 2007 involving somebody talking to his ex-wife. Mitigating, Ben Derby, said Winter had been in a cycle of offend-

ing and imprisonment but had not been in court for four years.

He said a suspended sentence would allow him to get professional counselling help for his anger problems.

Recorder Nicolas Gerasimidis agreed.

He said Winter had avoided jail 'by a hair's breadth'.

He imposed a four-month sentence, suspended for two years and with a supervision requirement for 18 months.

Winter, of Dendy Road, pleaded guilty to common assault. He was asked to pay compensation of £300.

H/Express - Monday 28/2/11

File No.:	AP/0146	Computer URN:	732 07/06/10	Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDYS BAR

Address: WINNER STREET, PAIGNTON

Report type: Visit Incident Other

Ref.: 732 07/06/10

Crime No.: FP/10/1660

Brief summary / action taken (if not recorded elsewhere):

An altercation took place in Paddy's Bar whereby a male was assaulted causing an injury to his right ear. Unfortunately he was unwilling to cooperate with police and provide any statement of details of the offender. The CCTV shows the incident occurring close to the front doors to the premises.

██████████ and Patrick Walsh are the Landlords and were relatively helpful although when we entered the premises all was calm, we stood waiting for a few minutes for ██████████ or the bar staff to inform what had happened whilst they finished serving people, so in essence they were not forth coming with information. CCTV was good quality but WALSH was unsure of how to burn the CCTV, in this circumstance it was not required and he informed me that it stays on the system for 3 months. For future incidents however this could be a problem.

Submitted by: Name: PC 1831 HODGE

Force No.: 11831

Signed:

Date: 07/06/10

Time: 22:27

Action taken by Licensing Unit:

*DPS is Patrick Walsh. FP/10/1660 viewed. ARK - NFA'd
NFA re CCTV as Mr Walsh provided CCTV footage for
another job recently.*

Licensing officer:

Forwarded to Daily Tasking:

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:	
Administration:	
1. Designated Premises Supervisor (DPS) on the premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of DPS (or person in charge if no DPS):	
<input type="checkbox"/> Helpful <input type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive <input type="checkbox"/> Other:	
2. Premises Licence (summary displayed)? (It should be displayed in the public area)	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Premises Licence (complete) produced to officers? (A constable can request to see full licence)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Crime and Disorder:	
1. Any violence inside / outside premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Any public order inside / outside premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Any evidence of drugs found inside / outside premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Any drinks promotions in operation at time of visit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Any evidence of excessive drunkenness?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Public Safety:	
1. CCTV on premises? <input type="checkbox"/> Yes <input type="checkbox"/> No	Working at time of visit? <input type="checkbox"/> Yes <input type="checkbox"/> No
Incident captured? <input type="checkbox"/> Yes <input type="checkbox"/> No	Staff able to download? <input type="checkbox"/> Yes <input type="checkbox"/> No
Image quality? <input type="checkbox"/> Good <input type="checkbox"/> Poor <input type="checkbox"/> Other:	
2. Door staff on duty? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, number:	
SIA licensed? <input type="checkbox"/> Yes <input type="checkbox"/> No	Licence displayed? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Do the premises look overcrowded? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Method of checking the customer numbers:	
5. Radio system in use? <input type="checkbox"/> Yes <input type="checkbox"/> No	
6. Tables / glasses kept tidy? <input type="checkbox"/> Yes <input type="checkbox"/> No	
7. Any smoking inside premises? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Public Nuisance:	
1. Any noise or nuisance outside of premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Any smokers standing outside of premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Any excessive litter / debris outside of premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Protection of Children:	
1. Any underage offences detected on the premises?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. What proof of age policy is operated in the premises?	
3. How is this publicised?	
4. Do staff appear trained in proof of age?	<input type="checkbox"/> Yes <input type="checkbox"/> No

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT : NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
OPERATOR 55311, STANLAKE CIV

URN 732 Stn MOE Vdu MOE76/MOE74 Tme 17:38 Dte 07/06/10 Op 56678

Reported by 9 999
Brief Incident Details
FIGHT

Location of Incident

Feature PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON Postcode TQ3 3BP
Beat FP2C OSGR 288473060701 Location Ref 8/1/64/437

Caller THIRD PARTY

Name [REDACTED] Title

House
Street

Area

Tel. No [REDACTED] Confirmed Y

Time and Date of Incident 1738 07/06/10

Classification CRIME RELATED VIOLENCE

Graded Response IMMEDIATE Sec Lev 1

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Inf.	C	Inf	Dealt	Wt
376	SB40L	WILLIAMS PC	17:40	17:43	18:01						
1831	SB40L	HODGE PC	17:40	17:43	18:01						
6643	SB51L	PERRIN PC	17:40	17:49	17:58						
4088	SB21L	BOWER PC	17:41						17:50		
1870	SB41L	HALLIWELL PC	17:41						17:50		

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
 TEXT 1 NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

URN 732 Stn MOE Vdu MOE76/MOE74 Tme 17:38 Date 07/06/10 Op 56678 Page 1

Op	Time	Text
56678	1739 07/06/10	Incident Routed to Radio Operators
55897	1739 07/06/10	Incident Transfer Accepted by terminal MOER31
56678	1740 07/06/10	CALLER HUNG UP BEFORE I COULD GET ANY MORE DETAILS
56678	1740 07/06/10	LOTS OF SHOUTING GOING ON
56678	1740 07/06/10	.
56678	1740 07/06/10	REALLY NOISEY
55897	1740 07/06/10	SB40L Dispatched
55897	1740 07/06/10	SB51L Dispatched
56678	1740 07/06/10	.
55897	1741 07/06/10	SB21L Dispatched
55897	1741 07/06/10	SB41L Redeployed from Incident 535 07/06/10
55897	1741 07/06/10	SB41L Dispatched
56678	1742 07/06/10	.
55897	1743 07/06/10	SB40L Arrived at Incident
56678	1743 07/06/10	[REDACTED] (CREATE) - CALLER
56678	1743 07/06/10	CREATED ON ASSOCIATED PERSONS FILE
55897	1744 07/06/10	F/SB40L - AIO ATT
55897	1744 07/06/10	F/SB40L - TRYING TO ESTABLISH WHAT IS GOING ON
55897	1745 07/06/10	Incident Switch - Abandoned
55897	1745 07/06/10	F/SB40L - AMB REQUIRED
55897	1745 07/06/10	MOE35 DEALING
52527	1746 07/06/10	AMENITY HISTORY ADDED TO URN 11956 - AMBULANCE CONTROL
52527	1746 07/06/10	AMB :-E/R
6643	1749 07/06/10	SB51L Arrived at Incident
55897	1750 07/06/10	SB21L Cancelled
55897	1750 07/06/10	SB41L Cancelled
6643	1758 07/06/10	SB51L Left Incident
55897	1759 07/06/10	PNC - [REDACTED]
55897	1759 07/06/10	F/SB40L - [REDACTED] IS AP - NOT DISCLOSING ANY DETAILS
55897	1759 07/06/10	*** PNC screen captured - 1 to Log
55897	1759 07/06/10	CIS N524798
55897	1759 07/06/10	[REDACTED]
55897	1800 07/06/10	*** PNC screen captured - 2 to Log
55897	1800 07/06/10	*** PNC screen captured - 3 to Log
55897	1800 07/06/10	*** PNC screen captured - 4 to Log
55897	1801 07/06/10	Crime FP/10/1660 generated from Incident
55897	1801 07/06/10	Create Crime
55897	1801 07/06/10	REQUESTED BY 376
55897	1801 07/06/10	F/SB40L - WILL COMPLETE L10
55897	1801 07/06/10	All Resources Leave Scene/Dispatch Cancelled etc
55897	1802 07/06/10	SB900 WILL MONITOR THE AREA
55897	1802 07/06/10	Update Existing Associated Person
55897	1802 07/06/10	[REDACTED] - AGGRIEVED
55897	1803 07/06/10	Incident Transferred by terminal MOER31 to MOEA

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
 TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
 TEXT 1 NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

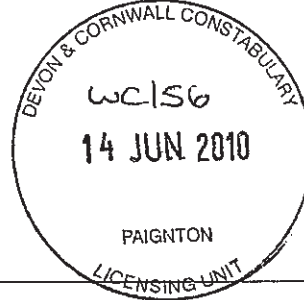
URN 732 Stn MOE Vdu MOE76/MOE74 Tme 17:38 Date 07/06/10 Op 56678 Page 2

Op	Time	Text
55897	1803 07/06/10	AWAITS FULL CRIME DETAILS
55897	1803 07/06/10	Incident Transfer
51971	1804 07/06/10	Incident Transfer Accepted by terminal MOERS3
51971	1817 07/06/10	Defer to FP=SGT1 Date 07/06/10 Time 1918
54216	1834 07/06/10	FROM MOE66 - CALL FROM ██████████ ANON MALE TO ADVISE
54216	1834 07/06/10	THAT THE OFFENDERS FOR THIS ASSAULT ARE CURRENTLY SAT TO
54216	1834 07/06/10	THE REAR OF THE OLDENBURG PUB DRINKING BUT PLANNING TO
54216	1834 07/06/10	MOVE ON WITHIN NEXT 15 MINS
54216	1834 07/06/10	Incident Switch to Terminal MOER31
54216	1834 07/06/10	PLS NOTE UPDATE PAGE 5
54216	1834 07/06/10	Incident Switch
55897	1834 07/06/10	Incident Switch Accepted by Terminal MOER31
55897	1835 07/06/10	SB40L ADVISED
56209	1849 07/06/10	Crime FP/10/1660 has been linked to the Incident
51971	1858 07/06/10	Incident Deferral Enquiry
Syscon	1918 07/06/10	Defer Time Reached
14088	2010 07/06/10	Incident Deferral Accepted by terminal FP=SGT1
14088	2012 07/06/10	Defer to FP=SGT1 Date 07/06/10 Time 2200
14088	2120 07/06/10	AN ASSAULT HAS BEEN CRIMED, L10 SUBMITTED. LOG CAN BE
14088	2120 07/06/10	CLOSED.
14088	2120 07/06/10	Deferral Removed
14088	2121 07/06/10	Incident for closure enquiry
Syscon	2123 07/06/10	Incident For Closure Time Reached
13684	2129 07/06/10	Incident for Closure Accepted by terminal MOE74
13684	2129 07/06/10	1
13684	2130 07/06/10	Incident Closed By Terminal MOE74
13684	2130 07/06/10	Incident End (Result / Close)

File No.:	AT10146	Computer URN:	N/A	Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDYS BAR, WINNER STREET, FP

Address: .

Report type: Visit Incident Other

Date: 11/06/10 Time: 2350

OIS Ref.: NIL

Crime No.: FP/10/1709

Brief summary / action taken (if not recorded elsewhere):

SB50N on mobile patrol saw offender [redacted] banging on the window of Sig whilst shouting & swearing he was spoke with & warned re his actions. He failed to heed the directions & warnings given by officers & was arrested for D&D.

Male is on a drinking banning order but this applies to two PH in FT.

Male was non compliant on arrested premises not spoken with [redacted] claimed he had been drinking in the bar.

Submitted by: Name: WALTON

Force No.: 16485

Signed: DRW

Date: 11/06/2010

Time: 0509

Action taken by Licensing Unit:

FP110/1709 viewed. Incident was outside the premises. Offender [redacted] [redacted], arrested D&D - charged to TMC 11/7/10.

NFA.

On 01/07/10 at TMC [redacted] found guilty of D+D. Fined £67, £40 costs.

Licensing officer: [Signature] 55311

Forwarded to Daily Tasking: -

(c) 14/06/10

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

N/A.

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS): N/A
 Helpful Unhelpful Obstructive Other: N/A
2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Time and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other: No viewed
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers: N/K
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises? N/K
3. How is this publicised? N/K
4. Do staff appear trained in proof of age? Yes No

File No.: AP/0146	Computer URN:	Minute No.:
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDY'S BAR	
Address: WINNER STREET, PAIGNTON	
Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 18/06/2010 Time: 23:50
CIS Ref.: 1332 18/06/2010	Crime No.:
Brief summary / action taken (if not recorded elsewhere):	
A male [redacted] was in PADDY'S BAR, Paignton and refused to leave the premises when instructed by a member of staff. SB40N arrived and found [redacted] in PADDY'S BAR, he was still drinking. After speaking with [redacted] he was convinced to leave the premises. Words of advice was given [redacted] in regards to not returning to PADDY'S BAR.	
Submitted by: Name: PC 12647 Gareth Kendall	Force No.: 12647
Signed:	Date: 19/06/2010 Time: 01:30
Action taken by Licensing Unit:	
NFA required	
Licensing officer: [Signature]	
Forwarded to Daily Tasking: -	

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

12647 PC GARETH KENDALL PC 376 WILLIAMS

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS): N/A
 Helpful Unhelpful Obstructive Other:
2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other: N/A
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers: N/A
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises? N/A
3. How is this publicised? N/A
4. Do staff appear trained in proof of age? Yes No

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
OPERATOR 55311, STANLAKE CIV

URN 1332 Stn MOW Vdu MOW98/MOER31 Tme 23:49 Dte 18/06/10 Op 53088

Reported by 9 999 [REDACTED]
Brief Incident Details

CUSTOMER REFUSING TO LEAVE - MALE NOT DRUNK BUT REFUSING TO LEAVE

Location of Incident

Feature PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON Postcode TQ3 3BP
Beat FP2C OSGR 288473060701 Location Ref 8/1/64/437

Caller WITNESS

Name [REDACTED] Title MISS

House PADDYS BAR,107

Street WINNER STREET

Area PAIGNTON,DEVON

Tel. No [REDACTED] Confirmed N

Time and Date of Incident 2349 18/06/10

Classification ANTI SOCIAL BEH ROWDY/NUISANCE BEHAVIOUR

Graded Response PROMPT Sec Lev 1

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Infid.	C	Infid	Dealt	Wt
376	SB41N	WILLIAMS PC	23:52	23:57	00:29						
2647	SB41N	KENDALL PC	23:52	23:57	00:29						

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

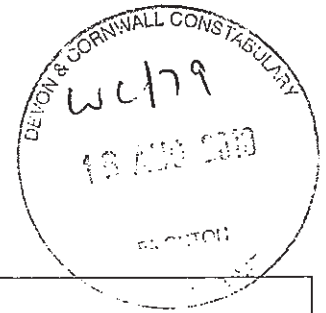
URN 1332 Stn MOW Vdu MOW98/MOER31 Tme 23:49 Date 18/06/10 Op 53088 Page 1

Op	Time	Text
53088	2350 18/06/10	Routed To Radio Operator(s)
52028	2350 18/06/10	Incident Transfer Accepted by terminal MOER31
53088	2351 18/06/10	MALE KNOWN TO RP - [REDACTED] - IS LOCAL..
52028	2352 18/06/10	Automatic Resource Enquiry
52028	2352 18/06/10	SB41N Dispatched
53088	2355 18/06/10	SPOKEN TO MALE ASKED HIM TO LEAVE - HE SAID HE WOULD WIT
53088	2355 18/06/10	"A LAUGH AND A CHORTLE" - ACCORDING TO RP HE HAS SAT DOW
53088	2355 18/06/10	AGAIN - HAS 3/4 PINT..
52028	2356 18/06/10	UNIT UPDATED
53088	2357 18/06/10	MALE HAS STATED TO RP "IM GOING TO WAIT FOR THE F@@KING
53088	2357 18/06/10	POLICE" - TOLD RP THERE ON THE WAY - CALL DISCONNECTED.
2647	2357 18/06/10	SB41N Arrived at Incident
53088	2357 18/06/10	LAST HEARD OVER THE PHONE CONVERSATION
52028	0000 19/06/10	PNC - [REDACTED]
52028	0001 19/06/10	CIS - DN
52028	0001 19/06/10	[REDACTED]
52028	0001 19/06/10	*** PNC screen captured - 1 to Log
52028	0011 19/06/10	SB41N - MALE ESCORTED FROM PREMISES NO OFFENCES
52028	0011 19/06/10	L10 WILL BE SUBMITTED
52028	0029 19/06/10	All Resources Leave Scene/Dispatch Cancelled etc
52028	0029 19/06/10	Incident Closed By Terminal MOER31
52028	0029 19/06/10	Incident End (Result / Close)

File No.:	AP/0146.	Computer URN:		Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDY'S BAR
Address: 107 WINNER STREET, PAIGNTON, TQ3 3BP

Report type: Visit Incident Other
 Date: 13/08/2010 Time: 2135HRS
 OIS Ref.: 1172 13/08/2010 Crime No.: FP/10/2513

Brief summary / action taken (if not recorded elsewhere):
 UPON ATTENDING PADDY'S BAR TO DEAL WITH A REPORT OF A FIGHT INSIDE THE PREMISES, THE OFFENDER HAD MADE OFF FROM THE SCENE. THE VICTIM, [REDACTED], WAS SAT ON THE FLOOR WITH THE FOLLOWING INJURIES - BLOODY MOUTH. COMPLAINING OF PAINFUL BACK.
 [REDACTED] STATED THAT A MALE CALLED [REDACTED] CAME INTO THE PUB AND STARTED ARGUING WITH HIM AND HIS FRIEND. [REDACTED] THEN SUGGESTED THAT [REDACTED] AND HIMSELF GO OUTSIDE. AS THEY WALK TOWARDS THE DOOR [REDACTED] STRIKES [REDACTED], KNOCKING HIM TO THE FLOOR. [REDACTED] IS THEN GRABBED AND RESTRAINED ON THE FLOOR BUT RELEASED PRIOR TO US ATTENDING. AMBULANCE ATTENDED TO CHECK [REDACTED] INJURIES, HE WAS ALLOWED TO GO HOME AS THEY WERE NOT SERIOUS. NEITHER [REDACTED] OR THE MALE THAT RESTRAINED THE OFFENDER WAS WILLING TO PROVIDE ANY KIND OF STATEMENT.
 THE R/P WAS [REDACTED] WHO WORKS AS BAR STAFF AT PADDY'S BAR.

Submitted by: Name: PC COLLINGS Force No.: 12671
 Signed: Date: 14/08/2010 Time: 0020hrs

Action taken by Licensing Unit:
 FP/10/2513 checked - ~~done to review~~
 Spoke to DPS, Patrick Walsh who wasn't present at the time of the incident, but stated he has banned those involved from his premises.

Licensing officer: *[Signature]* 5531
 Forwarded to Daily Tasking: *[Signature]*

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

PC 2671 COLLINGS

PC 1166 ROBERTS

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS): Patrick WALSH
 Helpful Unhelpful Obstructive Other:
2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other:
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
 Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
OPERATOR 55311, STANLAKE CIV

URN 1172 Stn MOE Vdu MOE66/MOER31 Tme 21:39 Dte 13/08/10 Op 54503

Reported by 9 999 [REDACTED]
Brief Incident Details
TWO PERSONS ARE INJURED - AFTER ASSAULT

Location of Incident
Feature PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON Postcode TQ3 3BP
Beat FP2C OSGR 288473060701 Location Ref 8/1/64/437
Caller THIRD PARTY
Name [REDACTED] Title
House PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON
Tel. No [REDACTED] Confirmed N
Time and Date of Incident 2139 13/08/10
Classification CRIME RELATED VIOLENCE
Graded Response IMMEDIATE Sec Lev 1

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Infid.	C	Infid	Dealt	Wt
625	SB40L	LEE PC		21:40			21:40				
619	SB40L	NICHOLAS PC		21:40			21:40				
1166	SB40N	ROBERTS PC		21:40	21:48	23:01					
2671	SB40N	COLLINGS PC		21:40	21:48	23:01					

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
 TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

URN 1172 Stn MOE Vdu MOE66/MOER31 Tme 21:39 Date 13/08/10 Op 54503 Page 1

Op	Time	Text
54503	2139 13/08/10	Routed To Radio Operator(s)
52263	2139 13/08/10	Incident Transfer Accepted by terminal MOE35
54503	2140 13/08/10	OFFENDER [REDACTED] IS STILL AT SCENE
52263	2140 13/08/10	SB40L Dispatched
52263	2140 13/08/10	Job 1: - FORM 41 **** CRIME COMPLAINT REPORT
54503	2140 13/08/10	ONE MALE IS ON THE FLOOR UNABLE TO GET UP
54503	2140 13/08/10	HE HAS BEEN CONSCIOUS THROUGH HAS A BLEEDING NOSE AND
54503	2140 13/08/10	MOUTH
52263	2140 13/08/10	Job 2: - FORM L10 **** LICENSING REPORT
52263	2140 13/08/10	SB40L Cancelled
54503	2140 13/08/10	HE IS IN HIS 40'S
52263	2140 13/08/10	SB40N Dispatched
54503	2140 13/08/10	Incident Switch to Terminal MOEM
54503	2140 13/08/10	AMBULANCE PLS
54503	2140 13/08/10	Incident Switch
53947	2141 13/08/10	Incident Switch Accepted by Terminal MOE37
52263	2141 13/08/10	AMENITY HISTORY ADDED TO URN 3588 - TORQUAY CCTV
52263	2141 13/08/10	:-APPRISED
54503	2141 13/08/10	OTHER MALE HAS A BLACK EYE AND IS COVERED IN BLOOD
54503	2141 13/08/10	HE IS STOOD UP AND LOOKS OK
54503	2141 13/08/10	[REDACTED] IS SAT ON A SEAT IN THE BAR
54503	2141 13/08/10	Caller Details Amended from PADDYS BAR,107 WINNER STREET
54503	2141 13/08/10	PAIGNTON,DEVON 01803 525952 (EXDIRECTOR= N) THIRD PARTY
54503	2142 13/08/10	CALLER WORKS AT THE BAR
53947	2143 13/08/10	AMENITY HISTORY ADDED TO URN 11956 - AMBULANCE CONTROL
53947	2143 13/08/10	AMB :-ADVISED - LOG 5038891
2671	2148 13/08/10	SB40N Arrived at Incident
52263	2153 13/08/10	Incident Transferred by terminal MOE35 to MOER31
52263	2153 13/08/10	.
52263	2153 13/08/10	Incident Transfer
56183	2153 13/08/10	Incident Transfer Accepted by terminal MOER31
56183	2158 13/08/10	SB40N - THERE HAS BEEN AN ASSAULT BUT NO ONE IS WILLING
56183	2158 13/08/10	TO PROVIDE A STATEMENT
56183	2236 13/08/10	Crime FP/10/2513 generated from Incident
56183	2236 13/08/10	Create Crime
56183	2236 13/08/10	AT REQUEST OF 1166
11166	2258 13/08/10	SB40N - UPON ATTENDING THE LOCATION THE OFFENDER HAD MAD
11166	2258 13/08/10	OFF FROM THE SCENE. THE VICTIM, [REDACTED]
11166	2258 13/08/10	WAS SAT ON THE FLOOR WITH THE FOLLOWING INJURIES -
11166	2258 13/08/10	BLOODY MOUTH.
11166	2258 13/08/10	COMPLAINING OF PAINFUL BACK.
11166	2258 13/08/10	[REDACTED] STATED THAT A MALE CALLED [REDACTED] CAME
11166	2258 13/08/10	INTO THE PUB AND STARTED ARGUING WITH HIM AND HIS FRIEND
11166	2258 13/08/10	[REDACTED] THEN SUGGESTED THAT [REDACTED] AND HIMSELF GO

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
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URN 1172 Stn MOE Vdu MOE66/MOER31 Tme 21:39 Date 13/08/10 Op 54503 Page 2

Op	Time	Text
11166	2258 13/08/10	OUTSIDE. AS THEY WALK TOWARDS THE DOOR [REDACTED] STRIKES
11166	2258 13/08/10	[REDACTED], KNOCKING HIM TO THE FLOOR. [REDACTED] IS THEN
11166	2258 13/08/10	GRABBED AND RESTRAINED ON THE FLOOR BUT RELEASED PRIOR T
11166	2258 13/08/10	US ATTENDING.
11166	2258 13/08/10	AMBULANCE ATTENDED TO CHECK [REDACTED] INJURIES, HE WAS
11166	2258 13/08/10	ALLOWED TO GO HOME AS THEY WERE NOT SERIOUS. NEITHER
11166	2258 13/08/10	[REDACTED] OR THE MALE THAT RESTRAINED THE OFFENDER WAS
11166	2258 13/08/10	WILLING TO PROVIDE ANY KIND OF STATEMENT.
11166	2258 13/08/10	CRIME SUBMITTED VIA FAX FOR ABH, L10 WILL BE SUBMITTED I
11166	2258 13/08/10	DUE COURSE.
56183	2301 13/08/10	SB40N Left Incident
56183	2302 13/08/10	Update Existing Associated Person
56183	2302 13/08/10	[REDACTED] - AGGRIEVED
55182	2302 13/08/10	Job Nos. 1,2 Updated
55182	2303 13/08/10	Incident Closed By Terminal MOE35
55182	2303 13/08/10	Incident End (Result / Close)

DEVON & CORNWALL
CRIME REPORT

DATA PROTECTION ACT 1998
THIS DOCUMENT CONTAINS PERSONAL DATA
DO NOT USE OR DISCLOSE UNLAWFULLY

```
-----
Sub-division: FP           Bt/Sn:2C           Crime No:FP/10/2513
-----
Offence: ASSAULT # OCCASIONING ABH - S.47      Status: UNDETECTED
-----
```

Location: PADDYS BAR 107
WINNER STREET
PAIGNTON

GridRef:28847306070
SIG: 8/1/64/437

Committed: On/Between 2135 13/08/10 Friday
and/prior to 2138 13/08/10 Friday

Reported At: 2139 13/08/10 Friday To: PC/1166/ROBERTS

Means: 999 CALL BY ANOTHER

Reporting Officer: PC/1166/ROBERTS

Xref/Index	Reason	Description	
1 OFFENCE	ESTABLISHED	FULL ASSAULT # OCCASIONING ABH - S.47	
2 SUSPECT	TEXT	CRIME SUSPECT DETAILS	
3 CRIME	FREE TEXT	Investigators COMMENTS PRESENT	Updated 07/0
4 RELATED	R	UNKNOWN	
5 RELATED	CW	[REDACTED]	
6 C&C INCIDENT	LINKED	1172 of 13/08/10 CRIME RELATED INC - RECORDED V	

ALLOCATION

Investigating Officer PS/41293/SW DEVON UDNO PAPERS Sub-div/Dept PTRF

Allocated By CIV/SR/CANNON II Time/
Date Report Due

15591

MODUS OPERANDI

MALE OFFENDER POSSIBLY KNOWN TO MALE AGGRIEVED UNKNOWN IF OFFENDER
IN DRINK OR DRUGS OFFENDER ENTERED PUB WHERE AGGRIEVED WAS DRINKING
HAD SHORT DISCUSSION WITH AGGRIEVED RESULTING IN BOTH WALKING TOWARDS
DOOR IN UNPROVOKED ATTACK OFFENDER PUNCHED AGGRIEVED ONCE TO FACE
CAUSING BLEEDING FROM MOUTH OFFENDER WAS MOMENTARILY DETAINED BY
OTHER CUSTOMERS BUT MADE OFF PRIOR TO POLICE ARRIVAL URBAN
COMMERCIAL SIDE ROAD STREET LIT OVERLOOKED CCTV INSIDE

SUSPECT DETAIL

10 AUGUST SUSPECT WHITE MALE AGED ABOUT 40 YEARS WEARING WHITE JACKET
----- 22:04:17 20 Aug 2010 CIV/M/MCLELLAN SUSPECT -----

CIRCULATIONS

Circulation			Cancellation		
C&C	13/08/10	1172	C&C	13/08/10	1172

OFFICERS INVOLVED

PC/1166/ROBERTS	PTRF	2148	20/08/10	Y	REP OFF
PS/41294/TORBAY PATROL	PTRF	0826	21/08/10		INV OFF
PS/41294/TORBAY PATROL	PTRF	0826	21/08/10		OIC
PS/41294/TORBAY PATROL	PTRF	0826	21/08/10		DIS OFF
PC/59808/ROBINSON II	PTRJ	0826	21/08/10		ALLOCATOR
PC/1166/ROBERTS	PTRF	1216	21/08/10		INV OFF
PC/1166/ROBERTS	PTRF	1216	21/08/10		OIC
PC/1166/ROBERTS	PTRF	1216	21/08/10		DIS OFF
PC/6072/ARKELL	PTRF	1216	21/08/10		ALLOCATOR
PS/41293/SW DEVON UDNO PAPERS	PTRF	1628	07/09/10		INV OFF
PS/41293/SW DEVON UDNO PAPERS	PTRF	1628	07/09/10		OIC
PS/41293/SW DEVON UDNO PAPERS	PTRF	1628	07/09/10		DIS OFF
PS/5482/PENHALIGON	PTRF	1628	07/09/10		ALLOCATOR

INVESTIGATION DETAILS

Scene Visited	Y	Scene Searched		House To House	N
Racial Motive		Victim Support	N	Soco Requested	N
Liason With LIO		Liaison With FCIO		Liaison With RCIO	
Liaison Oth Force		Dealers Visited		Local Informants	
Fingerprints Found		Other Evidence		Photo's Taken	
Artists Impression		Photo's Shown	N	Scene Re-visited	
CPO Requested		Comp Agrees TIC		Enquiries Compl	
N'Hood Watch Infor		C I D Investigate		Screened Out	
Graded Response B		Graded Response S		Graded Response G	
Financial Int'View		Mg17r		Mg17c	
Number of Offender Identifications made				Last Updated	

Officer Authorising Ident

Officer's Reports:-

NAPV

AGGRIEVED REFUSED TO MAKE STATEMENT NOR WISHED TO MAKE ANY FORMAL COMPLAINT

HE REFUSED A YOU MATTER WE CARE LEAFLET

CCTV INSIDE THE PUB WAS CHECKED AND THIS SHOWS THE OFFENCE BUT WAS NOT OF SUITABLE QUALITY TO IDENTIFY OFFENDER

WITNESSES PRESENT REFUSED TO COOPERATE WITH POLICE

ALL ENQUIRIES COMPLETE

REQUEST FOR CRIME TO BE RETURNED TO REPORTING OFFICER WHO WILL MAKE CONTACT WITH AGGRIEVED IN A FURTHER ATTEMPT TO GET A STATEMENT

NEGATIVE VCOP

SUBMITTED FOR SCREENING

----- 22:03:16 20 Aug 2010 CIV/M/MCLELLAN INVESTIGATION -----
FOR FURTHER ENQS AND NEGATIVE STATEMENT OR PNB ENTRY
IF NO PAPERS THEN CAN BE PLACED ON UD NO PAPERS HATPEG 41293

○----- 08:25:54 21 Aug 2010 PC/59808/ROBINSON II INVESTIGATION --
FROM APS ARKELL - PATROL WORKLOAD CHECK ALLOCATED TO REPROTING
OFFICER FOR FINALISATION AS ABOVE

----- 12:16:19 21 Aug 2010 PC/6072/ARKELL INVESTIGATION -----
I HAVE CONTACTED THE A/P AND HE IS STILL UNSURE IF HE WANTS TO
PROVIDE A STATEMENT. I HAVE INFORMED HIM THAT I WILL CONTACT HIM ON
MY NEXT TOUR OF DUTY AND TAKE HIS FINAL ANSWER.
FOR INFORMATION I REQUESTED THAT THIS CRIME BE RETURNED TO ME.

----- 21:53:56 22 Aug 2010 PC/1166/ROBERTS INVESTIGATION -----
I HAVE RECONTACTED THE A/P IN THIS MATTER AND HE DOES NOT WISH TO
PROVIDE A STATEMENT. I HAVE ASKED HIM THE REASON WHY AND HE STATES
THAT HE JUST WANTS TO LEAVE IT. ALL OF THE OTHER PEOPLE PRESENT
REFUSED TO ASSIST US IN ANYWAY, THEY ALL STATED THAT THEY WOULD GIVE
STATEMENTS IF THE A/P DID! THIS BEING THE CASE I CANNOT PROGRESS
THIS ANY FURTHER AS THE CCTV WAS NOT GOOD ENOUGH TO GET AN ID.
RECOMMEND THIS BE FILED WITH NO PAPERWORK

----- 15:03:32 26 Aug 2010 PC/1166/ROBERTS INVESTIGATION -----
WORKLOAD REVIEW.

○A/P UNWILLING TO SUPPORT ANY ALLEGATION OR PROVIDE ANY FORM OF
STATEMENT TO POLICE. WHILST THE OFFENCE IS SHOWN ON CCTV IT IS NOT
OF A QUALITY SUFFICIENT TO ID A SUSPECT AND PROGRESS A VICTIMLESS
CRIME. AS SUCH THIS WILL HAVE TO BE FINALISED AS U/D. NO PAPERS
GENERATED.

----- 16:28:16 07 Sep 2010 PS/5482/PENHALIGON INVESTIGATION ---
NO PAPERS

a
FILED.

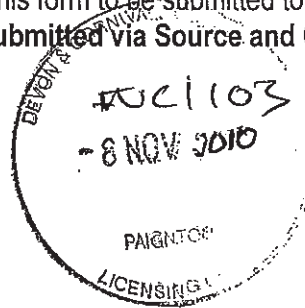
PLEASE NOTE

Any pertinent updates to this crime which YOU consider affects the present FILED status of this report must be notified to the Crime Standards office by way of telephone

File No.: AP/0146	Computer URN:	Minute No.:
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddys Bar
Address: Winner Street Paignton Devon

Report type: Visit Incident Other
Date: 051110 Time: 2130
OIS Ref.: Crime No.:

Brief summary / action taken (if not recorded elsewhere):
 [REDACTED] was arrested outside of her home [REDACTED] for D and I. She was initially taken to Torbay Hospital for assessment where she was detained over night. [REDACTED]'s cause for concern as she stated that she is an alcoholic and she had been drinking all evening at Paddys Bar. She stated that she does not drink at home so I must assume she became intoxicated at that location.

Submitted by: Name: Brown Force No.: 30253
Signed: Date: 081110 Time: 1106

Action taken by Licensing Unit:
 101110 visited premises, DPS, Patrick WASH seen. He admitted knowing this woman and that she had been drinking there on the day in question. Warned re serving drinks etc. no OIS log re this incident.

Licensing officer: [Signature] 55311
Forwarded to Daily Tasking: -

(C) 08/14/10
 (A) Email 5/11/10.
 Page 66

08 Nov 10

VIEW.INTEL

44

Page

1 of 6

(081110) (1) (PCSO/MP/BROWN) (B1) (A) (FZ1036709)

BROWN Michael 30253 Police Community Support Officer

[REDACTED] WAS LEFT OUTSIDE OF HER HOUSE [REDACTED]

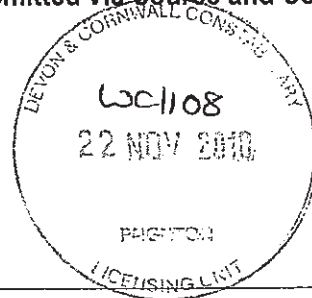
[REDACTED] AT ABOUT 2130 HOURS ON FRIDAY 051110 BY A TAXI DRIVER SHE WAS VERY DRUNK AND HAD NO MONEY TO PAY SHE HAD MISLAID HER FRONT DOOR KEY AND HAD NO WAY TO GET IN SHE STATED THAT SHE HAD BEEN DRINKING IN PADDYS BAR IN WINNER STREET PAIGNTON ALL EVENING SHE WAS ARRESTED FOR DRUNK AND INCAPABLE AND TAKEN TO TORBAY HOSPITAL FOR AN ASSESSMENT PRIOR TO BEING TAKEN TO CUSTODY WHILST AT THE HOSPITAL SHE WENT THROUGH PERIODS OF AGGRESSION TOWARDS POLICE OFFICERS AND HOSPITAL STAFF SHE WAS WARNED ABOUT HER BEHAVIOUR SHE ATTEMPTED TO SWALLOW SOME DRUGS WHICH SHE HAD IN HER BAG THESE WERE TAKEN OFF HER SHE BECAME VERY ANGRY AND TEARFUL AT THIS POINT SHE WAS DEARRESTED AND KEPT IN OVER NIGHT

(P#)age e(X)it

File No.:	AP/0146	Computer URN:		Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDYS BAR
Address: 107 WINNER STREET, PAIGNTON

Report type: Visit Incident Other
Date: 21/11/10 Time: 23:42
OIS Ref.: 1010/21/11/10 Crime No.: FP/10/3718

Brief summary / action taken (if not recorded elsewhere):
Theft of 2 x charity boxes from bar area.

There were 3 patrons still in the bar drinking however no alcohol was purchased whilst Police present. Patrons present were [redacted] (staff), [redacted] and [redacted]. All the above were intoxicated. [redacted] was also present and when CCTV viewed was appeared to do the most serving behind the bar, she was not intoxicated. Paddy turned up as he was the only one able to operate the CCTV system, he was heavily intoxicated.

Submitted by: Name: PC NICHOLAS Force No.: 10619
Signed: Date: Time:

Action taken by Licensing Unit:

22/11/10 DPS, Patrick WALSH seen and warned re his & his customers drunken state

Licensing officer: *[Signature]* 3531
Forwarded to Daily Tasking: *—*

*Cc) 22/11/10
(A) email Page 68 1/10.*

Licensed Premises Visit Checklist

Information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

PC 619 NICHOLAS, PC 2013 WESTLAKE.

Administration:

- 1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS): Jenifer ROBERTS
 Helpful Unhelpful Obstructive Other:
- 2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
- 3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

- 1. Any violence inside / outside premises? Yes No
- 2. Any public order inside / outside premises? Yes No
- 3. Any evidence of drugs found inside / outside premises? Yes No
- 4. Any drinks promotions in operation at time of visit? Yes No
- 5. Any evidence of excessive drunkenness? Yes No

Public Safety:

- 1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other:
- 2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
- 3. Do the premises look overcrowded? Yes No
- 4. Method of checking the customer numbers:
- 5. Radio system in use? Yes No
- 6. Tables / glasses kept tidy? Yes No
- 7. Any smoking inside premises? Yes No

Public Nuisance:

- 1. Any noise or nuisance outside of premises? Yes No
- 2. Any smokers standing outside of premises? Yes No
- 3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

- 1. Any underage offences detected on the premises? Yes No
- 2. What proof of age policy is operated in the premises?
- 3. How is this publicised?
- 4. Do staff appear trained in proof of age? Yes No

47

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TEXT. NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
OPERATOR 55311, STANLAKE CIV

URN 1010 Stn MOW Vdu MOW90/MOER31

Tme 23:42 Dte 21/11/10 Op 56384

Reported by 9 999 [REDACTED]
Brief Incident Details

THEFT OF CHARITY BOX OFF THE BAR - LAST 5 MINS

Location of Incident

Feature PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON Postcode TQ3 3BP
Beat FP2C OSGR 288473060701 Location Ref 8/1/64/437

Caller THIRD PARTY

Name STAFF Title
House 107
Street WINNER STREET
Area TQ3 3BP

Tel. No [REDACTED] Confirmed N

Time and Date of Incident 2342 21/11/10

Classification CRIME RELATED THEFT

Graded Response PROMPT Sec Lev 1

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Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Inf.	C	Inf	Dealt	Wt
619	SB40N	NICHOLAS PC	23:53	00:09	01:25		23:49				
2013	SB40N	WESTLAKE PC	23:53	00:09	01:25		23:49				

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URN 1010 Stn MOW Vdu MOW90/MOER31 Tme 23:42 Date 21/11/10 Op 56384 Page 1

Op	Time	Text
56384	2344 21/11/10	CLI Subscriber Details: , OAC , [REDACTED]
56384	2344 21/11/10	MR PATRICK WALSH, 107, WINNER STREET, TQ3 3BP
56384	2344 21/11/10	DESC - WM - AGED 20ISH - F600 - SLIM - BBALL CAP - BLACK
56384	2344 21/11/10	JACKET - JEANS
56384	2344 21/11/10	Incident Routed to Radio Operators
53982	2345 21/11/10	Incident Transfer Accepted by terminal MOER31
56384	2345 21/11/10	NICKNAME OF - [REDACTED]
56384	2345 21/11/10	LIVE SIN CHURCH STREET
53982	2345 21/11/10	DESC PASSED TO SB900
53982	2346 21/11/10	Automatic Resource Enquiry
53982	2346 21/11/10	FM SB41N - LIKELY TO BE [REDACTED]
53982	2348 21/11/10	[REDACTED] -
53982	2348 21/11/10	FM SB41N - IS ON ONE OF MY WL JOBS BELIEVE HE IS NFA ATT
53982	2348 21/11/10	Automatic Resource Enquiry
56384	2348 21/11/10	POSS [REDACTED]
53982	2349 21/11/10	SB40N Allocated to Incident
53982	2353 21/11/10	SB40N Dispatched
53982	0009 22/11/10	SB40N Arrived at Incident
53982	0024 22/11/10	LOG NUMBER PASSED
53982	0046 22/11/10	FM SB40N - NO ONE HAS ACTUALLY SEEN [REDACTED] TAKE THE BOXE
53982	0046 22/11/10	LOOKING AT CCTV DOES NOT SHOW THE BOXES AND DOES NOT SHO
53982	0046 22/11/10	ANYONE MATCHING HIS DESC NEAR THE BOXES - HOWEVER STAFF
53982	0046 22/11/10	ARE ADAMANT BOXES WERE THERE AT 1900 -
53982	0046 22/11/10	Crime FP/10/3718 generated from Incident
53982	0046 22/11/10	Create Crime
53982	0046 22/11/10	REQUESTED BY 619 -
10619	0121 22/11/10	SB40N - ON ATTENDANCE I SPOKE WITH [REDACTED] THE
10619	0121 22/11/10	PARTNER AT PADDYS BAR SHE DID NOT SEE ANYONE TAKE THE
10619	0121 22/11/10	CHARITY BOXES AND ONLY PASSED THE NAME OF "[REDACTED]" AS
10619	0121 22/11/10	THIS HAD COME FROM PATRONS AT THE PUB. THERE WERE ALSO 3
10619	0121 22/11/10	INTOXICATED PEOPLE STILL IN THE PUB NONE OF WHOM HAD
10619	0121 22/11/10	ACTUALLY SEEN THE ALLEGED OFFENCE. IT TRANSPIRES THAT
10619	0121 22/11/10	[REDACTED] SUPPOSEDLY CAME TO THE BAR SELLING A LAPTOP AND
10619	0121 22/11/10	TOOK THE BOXES ALTHOUGH NO ONE APPEARS TO HAVE WITNESSED
10619	0121 22/11/10	HIM TAKE IT. THE OWNER OF THE BAR TURNED UP, HE WAS
10619	0121 22/11/10	EXTREMELY INTOXICATED AND THE ONLY ONE ABLE TO USE THE
10619	0121 22/11/10	CCTV. PC WESTLAKE AND MYSELF HAVE VIEWED THE CCTV FROM
10619	0121 22/11/10	APPROXIMATELY 21:00 UNTIL 00:00. THE QUALITY IS NOT THE
10619	0121 22/11/10	BEST AND THE BOXES CANNOT BE SEEN AND NO ONE MATCHING TH
10619	0121 22/11/10	DESCRIPTION OF [REDACTED] CAN BE SEEN IN THE AREA OF THE
10619	0121 22/11/10	BOXES. THE STAFF ARE CERTAIN THAT THE BOXES WERE THERE A
10619	0121 22/11/10	19:00 HOURS. A CRIME COMPLAINT HAS BEEN RAISED AND THE
10619	0121 22/11/10	STAFF WILL CHECK THE CCTV AGAIN TOMORROW WHEN SOBER. L10
10619	0121 22/11/10	SUBMITTED.

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49

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URN 1010 Stn MOW Vdu MOW90/MOER31 Tme 23:42 Date 21/11/10 Op 56384 Page 2

Op	Time	Text
53982	0125 22/11/10	All Resources Leave Scene/Dispatch Cancelled etc
53982	0125 22/11/10	Incident Closed By Terminal MOER31
53982	0125 22/11/10	Incident End (Result / Close)
56197	0129 22/11/10	Following was entered after the Incident was Closed
56197	0129 22/11/10	Crime FP/10/3718 has been linked to the Incident

CRIME INFORMATION SYSTEM
PRINT CRIME DETAILS

11:30:22 23 Feb 201

For The Attention Of : CIV/NJ/STANLAKE

Department : CIVF

CRIME INFORMATION SYSTEM
UPDATE CRIME - OFFENCE DETAILS

CIS

FP/10/3718 Ent 22/11/10 UNDETECTED Upd 07/12/10 at 1601 Repd 21/11/10
 1.Type [F] Investigating Officer PS/41293/SW DEVON UDNO PAPERS FI
 2.Offence [THEFT - NON SPECIFIC] HO class 49/10
 Offn Group 3
 3.Feature [PADDYS BAR 107] SIG 8/1/64/437
 4.Street No [] 5.Street Name [WINNER STREET]
 6.Dist/Parish [] 7.Town [PAIGNTON]
 Post Code [TQ3 3BP] Subdivision [FP] 8.Bt/Sn [2C] Grid [288473]
 9.Committed on/between Time [2330] Date [21/11/10] Sunday
 and/prior to Time [2340] Date [21/11/10] Sunday
 10.Reporting Officer [PC/619/NICHOLAS] 11 Master []

Def	Reason	Description
1 OFFENCE	ESTABLISHED	FULL THEFT - NON SPECIFIC
2 CRIME	FREE TEXT	Investigators COMMENTS PRESENT Updated 07/1
3 RELATED	R	[REDACTED]
4 RELATED	C	ANIMALS IN DISTRESS CHARITY
5 PROPERTY	1 ITEM	VALUES Stolen \$0.01 Rec \$0.00 Damgd \$0.00
6 C&C INCIDENT	LINKED	1010 of 21/11/10 CRIME RELATED INC - RECORDED T

----- OFFENCE DETAILS FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
PRINT CRIME - RELATED PERSONS DETAILS

CIS3

Offence THEFT - NON SPECIFIC
 Reporting-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

1. (R)eporting Person, (C)omplainant, (W)itness [R]

2. Reported at [2342] on [21/11/10] To [PC/619/NICHOLAS]

3. Surname [REDACTED] 4. Title [MRS] 5. Vuln/Int [N]

6. Forenames [REDACTED] 7. Age [46] 8. Sex [FEMALE] 9. Ethnic App [WHITE EUROPEAN]

10. Address [PADDYS BAR 107, WINNER STREET]
[PAIGNTON]

11. County [DEVON] 12. Postcode [TQ3 3BP]

13. Telephone [REDACTED]

14. How Reported [999 CALL BY ANOTHER]

51

CRIME INFORMATION SYSTEM
PRINT CRIME - RELATED PERSONS DETAILS

CIS3

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/371

1.(R)eporting Person, (C)omplainant, (W)itness [C]
2.Company [ANIMALS IN DISTRESS CHARITY]
3.Surname [] 4.Title [] 5.Vuln/Int [N]
6.Forenames [] [] [] []
7.DOB [] 8.Age [] to [] 9.Sex []
10.Ethnic App [] 11.Self Ethnicity []
12.Nationality []
13.Occupation []
14.Address [UNKNOWN]
15.County [] 16.Postcode []
17.Phone [NONE]
18.Injuries [NONE]

----- RELATED PERSONS FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
PRINT CRIME - MODUS OPERANDI

CIS3C.RE

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

1 Freetext MO Page 1 of 1
[PREMISES IS PUBLIC HOUSE AND 2 CHARITY BOXES ON THE BAR NEXT TO TILL]
[WERE STOLEN BY UNKNOWN MEANS]
[]
[]
[]
[]
2 Type of Venue [68|PUB.HS OR LIC.CLB] [] []
3 Weapons Used []
4 MO [FS|NOT FROM SCENE] [SN|VIC SUP NO] [SL|VIC SUP LEAFLET]

----- PRINT STOLEN PEDAL CYCLES FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
PRINT CRIME - PROPERTY DETAILS

CI10.E.PRT

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

1.Property Status [STOLEN] 2.Belongs to Comp No [1]
3.Identifiable [N]
4.Category [CASES LUGGAGE CONTAINERS]
5.Sub Cat [COLLECTING BOX]
6.Post Code [] 7.Colour [WHITE]
8.Description [2 WHITE CHARITY BOXES CONTAINING UNKNOWN AMOUNT OF COINS]

9.Marks []
 10.Stolen \$[0.01] 11.Rec \$[0.00] 12.Damaged \$[]
 13.Drugs Weight []gms 14.Property Book Ref []
 15.Recovery/Additional Details []
 []
 []
 []
 []

----- PROPERTY LINKS FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
 PRINT CRIME - OFFICERS INVOLVED CIS3

Offence THEFT - NON SPECIFIC
 Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Officer	Dept	Time	Date	ScVis	Reason
[PC/619/NICHOLAS	] [PTRF]	[2342]	[21/11/10]	[Y]	[REP OFF]
[PS/41294/TORBAY PATROL	] [PTRF]	[0135]	[22/11/10]	[]	[INV OFF]
[PS/41294/TORBAY PATROL	] [PTRF]	[0135]	[22/11/10]	[]	[OIC]
○ [PS/41294/TORBAY PATROL	] [PTRF]	[0135]	[22/11/10]	[]	[DIS OFF]

CRIME INFORMATION SYSTEM
PRINT CRIME - OFFICERS INVOLVED

CIS3

Offence THEFT - NON SPECIFIC

Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Officer	Dept	Time	Date	ScVis	Reason
[CIV/M/POTTER	] [MOCD]	[0135]	[22/11/10]	[]	[ALLOCATOR]
[CIV/DG/HARDMAN	] [CIVF]	[1122]	[22/11/10]	[]	[INV OFF]
[CIV/DG/HARDMAN	] [CIVF]	[1122]	[22/11/10]	[]	[OIC]
[CIV/DG/HARDMAN	] [CIVF]	[1122]	[22/11/10]	[]	[DIS OFF]
[PS/3320/KAY	] [PTRF]	[1122]	[22/11/10]	[]	[ALLOCATOR]
[PS/41293/SW DEVON UDNO PAPERS	] [PTRF]	[1039]	[07/12/10]	[]	[INV OFF]
[PS/41293/SW DEVON UDNO PAPERS	] [PTRF]	[1039]	[07/12/10]	[]	[OIC]
[PS/41293/SW DEVON UDNO PAPERS	] [PTRF]	[1039]	[07/12/10]	[]	[DIS OFF]
[PC/5328/SHEPHERD	] [PTRF]	[1039]	[07/12/10]	[]	[ALLOCATOR]

----- OFFICERS INVOLVED FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
PRINT CRIME - CIRCULATIONS

CIS3

Offence THEFT - NON SPECIFIC

Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Circulation				Cancellation		
Type	Time	Date	Reference	Time	Date	Reference
[C&C]	[]	[21/11/10]	[1010	] [ ]	[21/11/10]	[1010

----- CIRCULATIONS FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
PRINT CRIME - INVESTIGATION DETAILS

CIS3

Offence THEFT - NON SPECIFIC

Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Scene Visited	[Y]	Scene Searched	[]	House to House	[N]
Racial Motive	[]	Victim Support	[N]	SOCO Requested	[N]
Liaison With LIO	[]	Liaison With FCIO	[]	Liaison with RCIO	[]
Liaison Oth Force	[]	Dealers Visited	[]	Local Informants	[]
Fingerprint Found	[]	Other Evidence	[]	Photo's Taken	[]
Artists Impression	[]	Photo's Shown	[]	Scene Re-visited	[]
CPO Requested	[]	Comp Agrees TIC	[]	Enqs Complete	[]
N'Hood Watch Infor	[]	C I D Investigate	[]	Screened Out	[]
Graded Response B	[]	Graded Response S	[]	Graded Response G	[]
Financial Int'View	[]	Mg17r	[]	Mg17c	[]
Number of Offender Identifications made	[]	Last Updated	[]		
Officer Authorising Ident	[]				

54

CRIME INFORMATION SYSTEM
PRINT CRIME - INVESTIGATION DETAILS

CIS3I2

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Additional Paper Details []
[]
[]

Publicity Opposed By []
[]
[]

CRIME INFORMATION SYSTEM
CRIME FREE TEXT - INVESTIGATION DETAILS FREE TEXT

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

REPEAT VICTIM SLISO
STATEMENT OF COMPLAINT AND MG19 NOT COMPLETED
NO SUSPECTS OR WITNESSES
CCTV HAS BEEN CHECKED BY POLICE BUT NEGATIVE
----- 01:33:45 22 Nov 2010 CIV/M/POTTER INVESTIGATION -----
CI HARDMAN - PLEASE SEE THE I SCREEN OF FP/10/3692.

I DOUBT THAT THIS THEFT WILL BE DETECTED BUT WHEN YOU LIAISE WITH
THEM YOU CAN ADVISE THEM THAT [REDACTED] WILL BE ASKED ABOUT THIS
CRIME NEXT TIME HE IS ARRESTED
----- 11:23:56 22 Nov 2010 PS/3320/KAY INVESTIGATION ----
CALL FROM THE BAR THEY STATE THAT THEY NOW HAVE FOOTAGE OF THE
OFFENDER ON CCTV
THEY DO NOT KNOW HOW TO TRANSFER IT TO DISC BUT WILL RETAIN IT SO AN
OFFICER CAN VIEW
STATE OFFICER COULD NOT FIND FOOTAGE AT TIME OF INCIDENT BUT THEY
HAVE NOW FOUND THE OFFENDER
----- 11:42:49 22 Nov 2010 CIV/L/JEFFERY INVESTIGATION -
ATTENDED PADDYS BAR AND SPOKE WITH THE DPS.HE SHOWED ME THE CCTV
FOOTAGE IN THE SMALL FRONT BAR AT THE TIME OF THIS INCIDENT. A MALE
AND FEMALE ARE SEEN TO BE LEANING ON THE BAR NEAR WHERE THE CHARITY
BOX IS KEPT.BOTH HAVE THEIR BACKS TO THE CAMERA AND AT THIS TIME
(23.03 HRS) THE BOX IS NOT SEEN TO BE REMOVED.IT IS FOUND TO BE
MISSING SOME TIME LATER.THE CCTV FOOTAGE IS OF VERY POOR QUALITY AND
NEITHER PERSON CAN BE IDENTIFIED FROM IT . THE MALE IS WEARING A
DARK HOODED JACKET AND THE FEMALE IS WEARING A LIGHT COLOURED FULL
LENGTH COAT.THE NAME [REDACTED] WAS MENTIONED BY A CUSTOMER WHOSE
IDENTITY IS NOT KNOWN.
----- 20:58:20 24 Nov 2010 CIV/DG/HARDMAN INVESTIGATION -----
SPOKE WITH DP OF PADDYS BAR AND INFORMED HIM THAT NO FURTHER POLICE
ACTION POSSIBLE IN THIS MATTER.CRIME TO BE FILED AS U/D.
----- 10:13:07 07 Dec 2010 CIV/DG/HARDMAN INVESTIGATION -----
REVIEWED BY A/PS SHEPHERD
VICTIM CODES COMPLIED WITH
PLEASE FILE AS UNDETECTED - NO PAPERS
----- 10:39:21 07 Dec 2010 PC/5328/SHEPHERD INVESTIGATION -----
a
FILED.

PLEASE NOTE

SS

CRIME INFORMATION SYSTEM
CRIME FREE TEXT - INVESTIGATION DETAILS FREE TEXT

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Any pertinent updates to this crime which YOU consider affects the present FILED status of this report must be notified to the Crime Standards office by way of telephone
----- 16:01:48 07 Dec 2010 CIV/T/FRENCH II INVESTIGATION -----

----- INVESTIGATION DETAILS FREE TEXT FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
UPDATE CRIME - ALLOCATION/SUPERVISION CIS

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

Status UNDETECTED Solvability Factors RO Continuing Enquiries NO

- 1. Time Desk [CIV/T/FRENCH II]
- 2. Investigator [PS/41293/SW DEVON UDNO PAPERS] 3. View Workload []
- 4. Department [PTRF]
- 5. Date Allocated [] 6. Date File Due []

----- ALLOCATION/SUPERVISION FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
SUSPECT FREE TEXT - SUSPECT DETAILS FREE TEXT

Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

----- SUSPECT DETAILS FREE TEXT FOR SUSPECT FP/10/3718 -----

----- SCENES OF CRIME REPORT FOR FP/10/3718 -----

----- DRUG SEIZURE LINKS FOR CRIME FP/10/3718 -----

CRIME INFORMATION SYSTEM
PRINT CRIME - FINALISATION DATA CHECK CIS

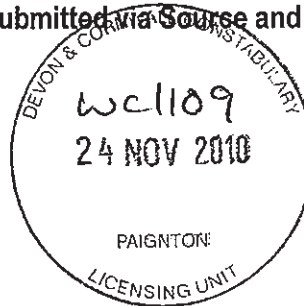
Offence THEFT - NON SPECIFIC
Investigating-Officer PS/41293/SW DEVON UDNO PAPERS Crime No FP/10/3718

No	Screen Ref	Reason	Report
1	CIS3B	SCREEN	NO WITNESSES RECORDED
2	CIS3D	SCREEN	NO STOLEN PEDAL CYCLES
3	CIS3M	SCREEN	NO SUSPECT FREE TEXT
4	CIS3N	SCREEN	NO SCENE OF CRIME REPORT

File No.:	AP10146	Computer URN:		Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddy's Bar
Address: 107 Winner Street, PAIGNTON

Report type: Visit Incident Other
Date: 23/11/10 Time: 2133
CIS Ref.: 979 of 23/11/10 Crime No.: FP/10/3745

Brief summary / action taken (if not recorded elsewhere):
Verbally aggressive drunken male asked to leave premises by staff. Male refused and assaulted staff member. Staff member retaliated in defence. Male removed from premises by other customers/witnesses

Submitted by: Name: PLATT Force No.: 11236
Signed: Date: 23/11/10 Time: 2312

Action taken by Licensing Unit:
24/11/10. FP/10/3745 viewed & updated w DBO. The offender is [redacted] who is in custody. He is currently subject of a single E/Order in respect of Ice Bar, Abbey Rd, TB1 effective between 12/11/10 & 11/1/11. Crime text updated accordingly.
Crime for Paddy's Bar incident indicates DPS/Staff acted correctly and actually refused [redacted] service of alcohol. Therefore N/A.

Licensing officer: [Signature] 55311
Forwarded to Daily Tasking: -

(c) 24/11/10
Page 79
(A) email 24/11/10

Licensed Premises Visit Checklist

An: information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

Administration:

- 1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS): JENNIFER ROBERTS
 Helpful Unhelpful Obstructive Other:
- 2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
- 3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

- 1. Any violence inside / outside premises? Yes No
- 2. Any public order inside / outside premises? Yes No
- 3. Any evidence of drugs found inside / outside premises? Yes No
- 4. Any drinks promotions in operation at time of visit? Yes No
- 5. Any evidence of excessive drunkenness? Yes No

Public Safety:

- 1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other: N/K
- 2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
- 3. Do the premises look overcrowded? Yes No
 Method of checking the customer numbers: VISUAL INSPECTION
- 5. Radio system in use? Yes No
- 6. Tables / glasses kept tidy? Yes No
- 7. Any smoking inside premises? Yes No

Public Nuisance:

- 1. Any noise or nuisance outside of premises? Yes No
- 2. Any smokers standing outside of premises? Yes No
- 3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

- 1. Any underage offences detected on the premises? Yes No
- 2. What proof of age policy is operated in the premises? N/K
- 3. How is this publicised? N/K
- 4. Do staff appear trained in proof of age? Yes No

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 TEXT NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
 OPERATOR 55311, STANLAKE CIV

URN 979 Stn MOE Vdu MOE95/MOER31

Tme 21:33 Dte 23/11/10 Op 51967

Reported by 9 999 [REDACTED]
 Brief Incident Details

FIGHT INSIDE PADDYS BAR - UNABLE TO SEE HOW MANY INVOLVED.

Location of Incident

Feature
 Street WINNER STREET
 Area PAIGNTON, DEVON Postcode
 Beat FP OSGR Location Ref 8/1/64
 Caller THIRD PARTY
 Name [REDACTED] Title
 House [REDACTED]
 Street [REDACTED]
 Area [REDACTED]
 Tel. No [REDACTED] Confirmed N
 Time and Date of Incident 2133 23/11/10
 Classification CRIME RELATED VIOLENCE
 Graded Response IMMEDIATE Sec Lev 1

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
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Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Infid.	C	Infid	Dealt	Wt
4781	SB21L	SHARAM PC	21:36						22:10		
1236	SB40L	PLATT PC	21:36	21:38	23:19						
5548	SB40L	MORRISON PC	21:36	21:38	23:19						
6355	SB42L	LE MESSURIER PC		21:39	23:16						
664	SB50L	VALLINS PC	21:48	21:52	21:53						
677	6347	BOWER PC	21:48	21:53	21:53						

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URN 979 Stn MOE Vdu MOE95/MOER31 Tme 21:33 Date 23/11/10 Op 51967 Page 1

Op	Time	Text
51967	2133 23/11/10	CLI Subscriber Details? , OAC , [REDACTED]
51967	2133 23/11/10	[REDACTED]
51967	2133 23/11/10	[REDACTED]
51967	2133 23/11/10	Incident Routed to Radio Operators
53754	2134 23/11/10	Incident Transfer Accepted by terminal MOER31
51967	2134 23/11/10	CALLER IN FLAT OPPOSITE CAN SEE IT HAPPENING.
53754	2134 23/11/10	Automatic Resource Enquiry
53754	2134 23/11/10	MOE35 RINGING THE SIG
53147	2135 23/11/10	SPOKEN TO THE BAR - IT'S OUTSIDE THE BAR NOT INSIDE
53147	2135 23/11/10	Location Amended from PADDYS BAR,107 WINNER STREET
53147	2135 23/11/10	PAIGNTON,DEVON
53754	2136 23/11/10	SB40L Redeployed from Incident 392 23/11/10
53754	2136 23/11/10	SB21L Dispatched
53754	2136 23/11/10	SB40L Dispatched
53754	2136 23/11/10	SB900 CAN SEE ONE MALE OUTSIDE CAUSING NO PROBS
53147	2136 23/11/10	View Incident 979,23/11/10
53754	2137 23/11/10	SB900 - LOOKING AT THE MALE OUTSIDE IF IS POSS THE MALE
53754	2137 23/11/10	FROM EARLIER WHO COULDN'T BOX AND WANTED NOTHING ELSE TO
53754	2137 23/11/10	DO WITH US
1236	2138 23/11/10	SB40L Arrived at Incident
53754	2139 23/11/10	WITH THE MALE WHO HAS INJURIES AND NEED ANOTHER UNIT HER
53754	2139 23/11/10	SB42L Arrived at Incident
53754	2140 23/11/10	Resources Dealing with this Incident Enquiry
53754	2140 23/11/10	Resources Dealing with this Incident Enquiry
53754	2142 23/11/10	PNC - [REDACTED]
53754	2143 23/11/10	[REDACTED]
53754	2143 23/11/10	Update Existing Associated Person
53754	2143 23/11/10	[REDACTED] - INTEREST
53754	2143 23/11/10	*** PNC screen captured - 1 to Log
53754	2143 23/11/10	*** PNC screen captured - 2 to Log
53754	2144 23/11/10	SB40L - 1 MALE HAS BEEN ARRESTED - INJURIES AS HE HIT TH
53754	2144 23/11/10	LANDLADY AND SOMEONE STEPPED IN TO DEFEND HER AND HE CAM
53754	2144 23/11/10	OFF WORSE
53754	2144 23/11/10	*** PNC screen captured - 3 to Log
53754	2147 23/11/10	SB40L - RING CALLER BACK - DO THEY WANT TO COME OVER AND
53754	2147 23/11/10	SPEAK TO THE UNIT TO PROVIDE STATEMENT
53754	2147 23/11/10	Incident Switch to Terminal MOEM
53754	2147 23/11/10	AS LAST
53754	2147 23/11/10	Incident Switch
53754	2147 23/11/10	VAN TO THE LOCN PSE FOR THE MALE
53754	2148 23/11/10	Resource Search - personal call sign '664'
53754	2148 23/11/10	SB50L Dispatched
53754	2148 23/11/10	WITH THE VAN
53754	2148 23/11/10	ALSO WITH 6347 DOUBLE CREWED

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TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

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URN 979 Stn MOE Vdu MOE95/MOER31 Tme 21:33 Date 23/11/10 Op 51967 Page 2

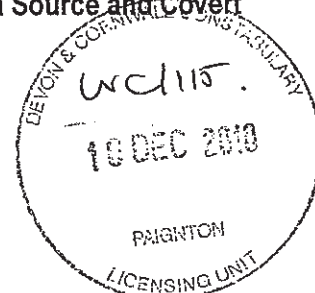
Op	Time	Text
53754	2148	23/11/10 6347 Dispatched
56441	2149	23/11/10 Incident Switch Accepted by Terminal MOE47
53754	2152	23/11/10 SB50L Arrived at Incident
53754	2152	23/11/10 SB42L Already At Incident
56441	2153	23/11/10 F/MOE47 - HAVE SPOKEN WITH THE RP HE STATES THAT ALL HE
56441	2153	23/11/10 CAN SAY IS THAT HE SAW A SCUFFLE AND WOULD NOT BE ABLE T
56441	2153	23/11/10 PROVIDE INFO OVER WHO THREW PUNCHES OR ANYTHING OF THE
56441	2153	23/11/10 SORT. RP ONLY LIVES OPPOSITE THE LOCATION AND IS HAPPY
56441	2153	23/11/10 FOR OFFICERS TO ATTEND HIS HOME ADDRESS IF THEY STILL
56441	2153	23/11/10 WISH TO SPEAK WITH HIM
56441	2153	23/11/10 Incident Switch to Terminal MOER31
56441	2153	23/11/10 PLEASE SEE UPDATE
56441	2153	23/11/10 Incident Switch
53754	2153	23/11/10 SB50L Left Incident
53754	2153	23/11/10 Resource Leave Incident PROCESS ABANDONED
53754	2153	23/11/10 16347 Not at an Incident - Cannot Leave
53754	2153	23/11/10 6347 Arrived at Incident
53754	2153	23/11/10 6347 Left Incident
53754	2154	23/11/10 Resource Search
53754	2154	23/11/10 Resources Dealing with this Incident Enquiry
53754	2155	23/11/10 Job 1: - L10
53754	2155	23/11/10 Incident Switch Accepted by Terminal MOER31
53754	2155	23/11/10 Job No. 1 Updated
52263	2210	23/11/10 SB21L Cancelled
15548	2311	23/11/10 FP/10/3745 - REFERS.
15548	2315	23/11/10 L10 DONE.
15548	2316	23/11/10 Incident Deferral Enquiry
15548	2316	23/11/10 Incident Deferral Enquiry
16355	2316	23/11/10 SB42L Not attached to this Incident
6355	2316	23/11/10 SB42L Left Incident
52263	2319	23/11/10 SB40L Left Incident
52263	2319	23/11/10 Update Existing Associated Person
52263	2319	23/11/10 [REDACTED] - OFFENDER
52263	2320	23/11/10 ARRESTING OFFICER * CONSTABLE LE MESSURIER
52263	2320	23/11/10 *****
52263	2321	23/11/10 Incident Closed By Terminal MOER31
52263	2321	23/11/10 Incident End (Result / Close)

61

File No.:	AP/0146.	Computer URN:		Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDYS BAR

Address: WINNER STREET, PAIGNTON

Report type: Visit Incident Other Issues with CCTV

Date: Time:

CIS Ref.: 979 - 23/11/10.

Crime No.: FP/10/3745

Brief summary / action taken (if not recorded elsewhere):

I have today rung PADDY's Bar to enquire about CCTV in relation to crime FP/10/3745. I spoke to the victim [redacted] who is an employee at the bar who was concerned that we had not yet seized the CCTV. She passed me over to Patrick WALSH who she stated was the manager. When i questioned him as to whether he could download it he stated that he did not know how to. I asked if he knew anyone who could do this and again he said he didn't. He was asked about the person who installed it but he stated that he thought the person had moved and did not know how to get hold of him. It was felt that WALSH was being extremely unhelpful and showed no urgency or want to help officers with this matter. He stated that he will see if he can find someone to sort it however could not give any timescale and showed no enthusiasm to do it.

It is obviously concerning that they have CCTV installed however have no persons in a position to download any footage.

Submitted by: Name: LE MESSURIER

Force No.: 16355

Signed:

Date: 09/12/10

Time: 15:56

Action taken by Licensing Unit:

FP/10/3745 viewed & updated re DPO. Offender [redacted] who was subject of an E2/order imposed at time on 12/2/10, re violence @ The Ice Bar, TDY. This order does not expire until 11/8/11 - OTC made aware via crime update. Offender on bar until 15/2/11.

6/12/10 Email to WPC Le Messurier re CCTV - copy attached - no reply up until 30/12/10.

6/1/11 ~~nothing done for~~ WPC Le Messurier. reports CCTV now obtained.

Licensing officer: [Signature] 55311

Forwarded to Daily Tasking: -

(C)

(A) - email 10/12/10

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TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
OPERATOR 55311, STANLAKE CIV

URN 979 Stn MOE Vdu MOE95/MOER31 Tme 21:33 Dte 23/11/10 Op 51967

Reported by 9 999 [REDACTED]

Brief Incident Details

FIGHT INSIDE PADDYS BAR - UNABLE TO SEE HOW MANY INVOLVED.

Location of Incident

Feature
Street WINNER STREET
Area PAIGNTON, DEVON Postcode
Beat FP OSGR Location Ref 8/1/64

Caller THIRD PARTY

Name [REDACTED] Title

House [REDACTED]

Street [REDACTED]

Area [REDACTED]

Tel. No [REDACTED] Confirmed N

Time and Date of Incident 2133 23/11/10

Classification CRIME RELATED VIOLENCE

Graded Response IMMEDIATE Sec Lev 1

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Resources Dealing with this Incident

P.C.S	C.C.S	Name	Disp.	Arr	Left	Canc,	Infid.	C	Infid	Dealt	Wt
4781	SB21L	SHARAM PC	21:36				22:10				
1236	SB40L	PLATT PC	21:36	21:38	23:19						
5548	SB40L	MORRISON PC	21:36	21:38	23:19						
6355	SB42L	LE MESSURIER PC			21:39	23:16					
664	SB50L	VALLINS PC	21:48	21:52	21:53						
63	6347	BOWER PC	21:48	21:53	21:53						

63

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

URN 979 Stn MOE Vdu MOE95/MOER31 Tme 21:33 Date 23/11/10 Op 51967 Page 1

Op	Time	Text
51967	2133 23/11/10	CLI Subscriber Details: ; OAC , [REDACTED]
51967	2133 23/11/10	[REDACTED]
51967	2133 23/11/10	[REDACTED]
51967	2133 23/11/10	Incident Routed to Radio Operators
53754	2134 23/11/10	Incident Transfer Accepted by terminal MOER31
51967	2134 23/11/10	CALLER IN FLAT OPPOSITE CAN SEE IT HAPPENING.
53754	2134 23/11/10	Automatic Resource Enquiry
53754	2134 23/11/10	MOE35 RINGING THE SIG
53147	2135 23/11/10	SPOKEN TO THE BAR - IT'S OUTSIDE THE BAR NOT INSIDE
53147	2135 23/11/10	Location Amended from PADDYS BAR,107 WINNER STREET
53147	2135 23/11/10	PAIGNTON,DEVON
53754	2136 23/11/10	SB40L Redeployed from Incident 392 23/11/10
53754	2136 23/11/10	SB21L Dispatched
53754	2136 23/11/10	SB40L Dispatched
53754	2136 23/11/10	SB900 CAN SEE ONE MALE OUTSIDE CAUSING NO PROBS
53147	2136 23/11/10	View Incident 979,23/11/10
53754	2137 23/11/10	SB900 - LOOKING AT THE MALE OUTSIDE IF IS POSS THE MALE
53754	2137 23/11/10	FROM EARLIER WHO COULDNT BOX AND WANTED NOTHING ELSE TO
53754	2137 23/11/10	DO WITH US
1236	2138 23/11/10	SB40L Arrived at Incident
53754	2139 23/11/10	WITH THE MALE WHO HAS INJURIES AND NEED ANOTHER UNIT HER
53754	2139 23/11/10	SB42L Arrived at Incident
53754	2140 23/11/10	Resources Dealing with this Incident Enquiry
53754	2140 23/11/10	Resources Dealing with this Incident Enquiry
53754	2142 23/11/10	PNC - [REDACTED]
53754	2143 23/11/10	[REDACTED] REFERS
53754	2143 23/11/10	Update Existing Associated Person
53754	2143 23/11/10	[REDACTED] - INTEREST
53754	2143 23/11/10	*** PNC screen captured - 1 to Log
53754	2143 23/11/10	*** PNC screen captured - 2 to Log
53754	2144 23/11/10	SB40L - 1 MALE HAS BEEN ARRESTED - INJURIES AS HE HIT TH
53754	2144 23/11/10	LANDLADY AND SOMEONE STEPPED IN TO DEFEND HER AND HE CAM
53754	2144 23/11/10	OFF WORSE
53754	2144 23/11/10	*** PNC screen captured - 3 to Log
53754	2147 23/11/10	SB40L - RING CALLER BACK - DO THEY WANT TO COME OVER AND
53754	2147 23/11/10	SPEAK TO THE UNIT TO PROVIDE STATEMENT
53754	2147 23/11/10	Incident Switch to Terminal MOEM
53754	2147 23/11/10	AS LAST
53754	2147 23/11/10	Incident Switch
53754	2147 23/11/10	VAN TO THE LOCN PSE FOR THE MALE
53754	2148 23/11/10	Resource Search - personal call sign `664`
53754	2148 23/11/10	SB50L Dispatched
53754	2148 23/11/10	WITH THE VAN
53754	2148 23/11/10	ALSO WITH 6347 DOUBLE CREWED

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URN 979 Stn MOE Vdu MOE95/MOER31 Tme 21:33 Date 23/11/10 Op 51967 Page 2

Op	Time	Text
53754	2148 23/11/10	6347 Dispatched
56441	2149 23/11/10	Incident Switch Accepted by Terminal MOE47
53754	2152 23/11/10	SB50L Arrived at Incident
53754	2152 23/11/10	SB42L Already At Incident
56441	2153 23/11/10	F/MOE47 - HAVE SPOKEN WITH THE RP HE STATES THAT ALL HE
56441	2153 23/11/10	CAN SAY IS THAT HE SAW A SCUFFLE AND WOULD NOT BE ABLE T
56441	2153 23/11/10	PROVIDE INFO OVER WHO THREW PUNCHES OR ANYTHING OF THE
56441	2153 23/11/10	SORT. [REDACTED] AND IS HAPPY
56441	2153 23/11/10	FOR OFFICERS TO ATTEND HIS HOME ADDRESS IF THEY STILL
56441	2153 23/11/10	WISH TO SPEAK WITH HIM
56441	2153 23/11/10	Incident Switch to Terminal MOER31
56441	2153 23/11/10	PLEASE SEE UPDATE
56441	2153 23/11/10	Incident Switch
53754	2153 23/11/10	SB50L Left Incident
53754	2153 23/11/10	Resource Leave Incident PROCESS ABANDONED
53754	2153 23/11/10	16347 Not at an Incident - Cannot Leave
53754	2153 23/11/10	6347 Arrived at Incident
53754	2153 23/11/10	6347 Left Incident
53754	2154 23/11/10	Resource Search
53754	2154 23/11/10	Resources Dealing with this Incident Enquiry
53754	2155 23/11/10	Job 1: - L10
53754	2155 23/11/10	Incident Switch Accepted by Terminal MOER31
53754	2155 23/11/10	Job No. 1 Updated
52263	2210 23/11/10	SB21L Cancelled
15548	2311 23/11/10	FP/10/3745 - REFERS.
15548	2315 23/11/10	L10 DONE.
15548	2316 23/11/10	Incident Deferral Enquiry
15548	2316 23/11/10	Incident Deferral Enquiry
16355	2316 23/11/10	SB42L Not attached to this Incident
6355	2316 23/11/10	SB42L Left Incident
52263	2319 23/11/10	SB40L Left Incident
52263	2319 23/11/10	Update Existing Associated Person
52263	2319 23/11/10	[REDACTED] - OFFENDER
52263	2320 23/11/10	ARRESTING OFFICER * CONSTABLE LE MESSURIER
52263	2320 23/11/10	*****
52263	2321 23/11/10	Incident Closed By Terminal MOER31
52263	2321 23/11/10	Incident End (Result / Close)

STANLAKE Neil 55311

From: LE MESSURIER Ruth 16355
Sent: 08 January 2011 03:20
To: STANLAKE Neil 55311
Subject: RE: Paddys Bar L10 RESTRICTED

Hi Neil

I still do not have the CCTV. I have tried calling the bar a few times recently but never get an answer. I need to go in and see them but due to my shifts I have not been able to. I am nights this weekend and so jobs permitting I am going to try and get down there when they are open. I don't hold out much hope though. He informed me that they would call when it was ready so im thinking they havn't done it.

Thanks

Ruth



From: STANLAKE Neil 55311
Sent: 06 January 2011 08:21
To: LE MESSURIER Ruth 16355
Subject: FW: Paddys Bar L10 RESTRICTED

Ruth,

Haven't heard back from you on this one, so will assume all was well with the CCTV, although the crime doesn't say so ?

Regards

Neil



From: STANLAKE Neil 55311 **On Behalf Of** Licensing Torbay
Sent: 10 December 2010 14:15
To: LE MESSURIER Ruth 16355
Subject: RE: Paddys Bar L10 RESTRICTED

Thanks for this Ruth. CCTV is a requirement of Mr Walsh's premises licence, so let me know if it is not forthcoming and if necessary, I will go to see him.

Regards

Neil

From: LE MESSURIER Ruth 16355
Sent: 09 December 2010 16:00
To: STANLAKE Neil 55311; Licensing Torbay
Subject: Paddys Bar L10 RESTRICTED

66

Hi

I have submitted an L10 following a phone call made to the manager this afternoon.

Many thanks

Ruth << File: L10 Paddys bar 091210.docx >>

<< OLE Object: Picture (Device Independent Bitmap) >>

PC 6355 Ruth Le Messurier

Response 1

PAIGNTON

"Want to know what the Police are doing in Paignton & Brixham click below"

<http://neighbourhoodpolicing.devon-cornwall.police.uk/BCU-1663/Sector-1825/Pages/default.aspx>

STANLAKE Neil 55311

From: STANLAKE Neil 55311
Sent: 11 January 2011 12:40
To: LE MESSURIER Ruth 16355
Subject: RE: Paddys Bar L10 RESTRICTED

Thanks Ruth. This is good evidence that the DPS, Paddy Walsh is not being responsible.

I am 'on the case'

Regards

Neil

From: LE MESSURIER Ruth 16355
Sent: 09 January 2011 22:35
To: STANLAKE Neil 55311
Subject: RE: Paddys Bar L10 RESTRICTED

Hi Neil

I visited PADDY's Bar this evening and seized a CCTV disc from Patrick WALSH (hope it's all on there!!)

For info, when we walked in there was a group of males sat in the corner of the bar and one male drinking at the bar. I walked up to the bar where we waited for a short time before a female came from out the back. I had asked the group if anyone was around and was told that the female would be out as she was out the back. The female staff member came out and I asked for the CCTV. She then turned to the group in the corner and asked 'PADDY' for the disc. The male then stood up walked over and out to the back of the bar where he then returned with the disc. He then identified himself as Patrick WALSH. He was quite drunk. The reason I thought I would mention it, was that I found it quite strange that when two police officers walked into his bar he just sat there without saying anything and kept us waiting for when the female eventually came out. Also I was not sure if there were any issues with him being drunk?

Hope that makes sense? I just thought it was worth mentioning!

Thanks

Ruth

From: STANLAKE Neil 55311
Sent: 06 January 2011 08:21
To: LE MESSURIER Ruth 16355
Subject: FW: Paddys Bar L10 RESTRICTED

Ruth,

Haven't heard back from you on this one, so will assume all was well with the CCTV, although the crime doesn't say so ?

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Sent: 10 December 2010 14:15
To: LE MESSURIER Ruth 16355
Subject: RE: Paddys Bar L10 RESTRICTED

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Neil

From: LE MESSURIER Ruth 16355
Sent: 09 December 2010 16:00
To: STANLAKE Neil 55311; Licensing Torbay
Subject: Paddys Bar L10 RESTRICTED

Hi

I have submitted an L10 following a phone call made to the manager this afternoon.

Many thanks

Ruth << File: L10 Paddys bar 091210.docx >>

<< OLE Object: Picture (Device Independent Bitmap) >>

PC 6355 Ruth Le Messurier

Response 1

PAIGNTON

"Want to know what the Police are doing in Paignton & Brixham click below"

<http://neighbourhoodpolicing.devon-cornwall.police.uk/BCU-1663/Sector-1825/Pages/default.aspx>

Our ref: Lic/Dev/njs

Your ref:

Mr P J Walsh
Designated Premises Supervisor
Paddy's Bar
107 Winner Street
PAIGNTON
TQ3 3BP

Licensing Department
Devon and Cornwall Constabulary
PO Box 1
PAIGNTON TQ3 2YF

14 January 2011

Telephone: 01803 841327

Dear Sir

I write to you in your capacity as Designated Premises Supervisor (DPS) at the above named premises and you will recall that on the 8th July 2008, my predecessor, Superintendent Chris Singer, also wrote to you concerning issues with your ability to run the premises.

There have been a number of incidents at your premises recently, one on the 23rd November where a male assaulted a member of your staff and was subsequently arrested and is being dealt with.

During the course of police enquiries, the investigating officers have reported that they visited your premises to obtain copies of CCTV evidence and on doing so it became apparent that you were unable to download your system and provide the necessary footage.

Furthermore, my officers consider that you were not particularly co-operative and in fact they have reported that you were at the time quite drunk, which was during your permitted hours.

I am aware that Neil Stanlake, one of my Licensing Officers, has been to see you about this matter and has told me that you accepted the fact that you had been drinking and apologised if you gave the impression that you were unco-operative.

It is imperative that you understand and appreciate your responsibilities as a Designated Premises Supervisor of a licensed premise and that whenever you are present at the premises you are in full control.

In respect of your CCTV system, Neil Stanlake tells me that you admitted to him that you are unable to download any footage due to your lack of knowledge of the system. I would therefore suggest that you take immediate steps to ensure you can do so in the

future in order to be able to comply with the condition on your premises licence covering CCTV.

I am somewhat disappointed that I am having to write to you again, about you being drunk on your own premises and I am not willing to tolerate poorly licensed premises within my area.

I trust you will consider the advice that Neil Stanlake gave you and read the Constabulary's Handbook on Licensing Responsibilities that he provided you with. Should there be any further concerns or incidents at your premises where it can be proved that you and your staff were not conducting the premises in a responsible manner, I shall apply to the Local Authority Licensing Committee for a review of your Premises Licence, which could result in the loss of your livelihood.

A copy of this letter has been sent to Torbay Council Licensing Department for their information and should you require any further information, please contact Neil Stanlake at my Licensing Department on the above telephone number.

Yours faithfully



Superintendent R Baker
Geographic Superintendent - Torbay

From: [REDACTED]
Sent: 16 January 2011 13:30
To: Licensing
Subject: Paddy's bar and restaurant

To whom it may concern,

I would like to make a complaint about the premises and landlord of Paddy's bar and restaurant on Winner street in Paignton.

I live by this pub and am always being disturbed by customers fighting, shouting or banging on the doors to be let in after he has closed up.

The landlord serves alcohol as early as 8am in the morning as people will bang on the door, he lets them in and they leave with bottles of alcohol

He also has "lock-in's" that go on til past 3am in the morning, with people banging on the doors and shouting to be let in.

When there are fights on the premises the landlord does nothing to intervene he just sits at the table and watches it all happen, sometimes even joining in.

He lets customers shout outside whilst having cigarettes and the music is also extremely loud, especially when the doors to the premises are left wide open.

We have 4 young children who are always woken up by the noise and aggravation from these premises, sometimes they wake up scared aswell due to the shouting and foul language that goes with it.

We have spoken to the landlord and asked him to keep the noise down etc but this does no good as it just happens more the next evening.

He sits in the pub window drinking from sometimes 6am in the morning and this will continue throughout the day.

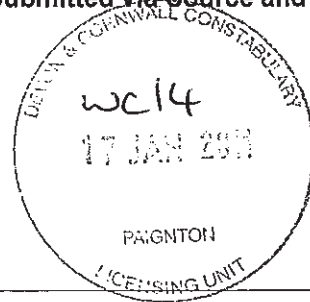
I hope that something can be done about this.

Thankyou in advance
[REDACTED]

File No.: AP10146	Computer URN:	Minute No.:
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddy's Bar	
Address: 107 Winner Street, Paignton, Devon	
Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 16/01/11 Time: 0039hrs
OIS Ref.: 47 16/01/11	Crime No.: n/a

Brief summary / action taken (if not recorded elsewhere):

OIS log 47 16/01/11 refers to a complaint by a male called [REDACTED] that the Landlord of Paddy's Bar is taking pictures or videoing him using a mobile phone while [REDACTED] was at his h/a, which is located on the other side of WINNER STREET.

PC 664 VALLINS and PC 6355 LE MESSURIER attended Paddy's bar. Both officers noticed a male crouched down in the left lower corner of the window at the front of the pub, holding a mobile phone in the direction of the flats on the other side of the street. PC LE MESSURIER identified this male to be Paddy WALSH, the landlord, from previous dealings with him.

On looking at the phone WALSH was holding it was clear that it did not have a camera built into it! WALSH was asked what he was doing, to which he made no reply. WALSH was then asked to open the front door of the bar so that officers could speak to him. WALSH refused to let officers in stating that he did not have to speak to us or let us in. He was anti-police in his attitude and said to PC LE MESSURIER that he did not like her as she had previously reported him to the licensing department. WALSH was clearly very intoxicated his eyes were glazed and his speech was slurred.

[REDACTED] was advised that the phone had no camera in it and advised to ignore the male (WALSH).

Submitted by: Name: PC Edward VALLINS	Force No.: 10664
Signed:	Date: 16/01/11 Time: 2246hrs

Action taken by Licensing Unit:

*24/1/11. DSP Paddy Walsh attended Pgn P/S - saw CI. Nye for final warning
See main file @ minute 7 for copy of final warning letter.
He denied allegation made by Mrs Hunt - see her email dd 16/1/11
to TBC.*

Licensing officer: *[Signature]* 55311
Forwarded to Daily Tasking: *[Signature]*

(c) 17/01/11
(A) email 24/1/11 to P/L Messurier & Vallins
Page 95

Licensed Premises Visit Checklist

Information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

Administration:

- 1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS):
 Helpful Unhelpful Obstructive Other:
- 2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
- 3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

- 1. Any violence inside / outside premises? Yes No
- 2. Any public order inside / outside premises? Yes No
- 3. Any evidence of drugs found inside / outside premises? Yes No
- 4. Any drinks promotions in operation at time of visit? Yes No
- 5. Any evidence of excessive drunkenness? Yes No

Public Safety:

- 1. CCTV on premises? Yes No
 Incident captured? Yes No
 Image quality? Good Poor Other:
 Working at time of visit? Yes No
 Staff able to download? Yes No
- 2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No
 Licence displayed? Yes No
- 3. Do the premises look overcrowded? Yes No
- 4. Method of checking the customer numbers:
 Radio system in use? Yes No
- 6. Tables / glasses kept tidy? Yes No
- 7. Any smoking inside premises? Yes No

Public Nuisance:

- 1. Any noise or nuisance outside of premises? Yes No
- 2. Any smokers standing outside of premises? Yes No
- 3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

- 1. Any underage offences detected on the premises? Yes No
- 2. What proof of age policy is operated in the premises?
- 3. How is this publicised?
- 4. Do staff appear trained in proof of age? Yes No

WITNESS STATEMENT

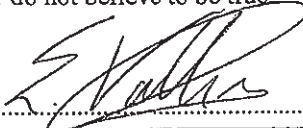
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of **PC 664 Edward Vallins** URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true


Signature:  Date: **21/01/11**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am PC 664 VALLINS of the DEVON AND CORNWALL POLICE CONSTABULARY currently stationed at PAIGNTON POLICE STATION. At approximately 0030hrs on SUNDAY 16th JANUARY 2011 I was in full uniform on mobile patrol with PC 6355 LE MESSURIER as call sign SB41N.

At this time myself and PC LE MESSURIER were directed to attend an address on WINNER STREET, PAIGNTON, DEVON following reports that there was a noisy party. Whilst we were dealing with this incident a male member of public approached me on WINNER STREET. He said that he lived in an address on WINNER STREET, opposite PADDYS BAR, and that the landlord from PADDYS BAR was filming him whilst he was in his address from the window of PADDYS BAR using a mobile phone.

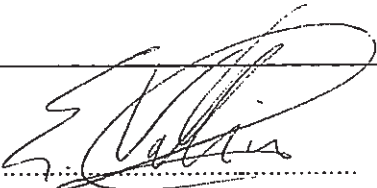
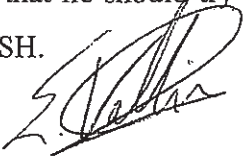
Myself and PC LE MESSURIER attended PADDYS BAR. Upon our arrival I noticed that there was a male crouched down in the lower part of the left side of the window at the front of PADDYS BAR. The male was pointing a mobile phone in the direction of the flats on the opposite side of WINNER STREET. PC LE MESSURIER identified the male as the land lord of PADDYS BAR, Paddy WALSH, from previous dealings she had with the male. We approached WALSH at which point I realised that there was no camera built into the mobile phone. I asked WALSH what he was doing, to which he made no reply. WALSH was then asked by myself and PC LE MESSURIER if he could come to the door of the bar so that we could speak to him. WALSH refused, saying that he did not want to speak to us. I became suspicious that WALSH might not be conforming to the conditions of his licence, so I again asked WALSH if he would let us into the establishment. To this WALSH refused to let us in, saying to us "FUCK OFF, I DON'T HAVE TO LET YOU IN". He was anti-police in his attitude towards officers. He said to PC LEMESSURIER words to the effect of "I DON'T LIKE YOU, YOU HAVE

Signature:  Signature witnessed by:

Continuation of Statement of **PC Edward Vallins**.....

GOT ME IN TROUBLE WITH THE LICENSING DEPARTMENT BEFORE". WALSH was clearly very intoxicated his speech was slurred and his eyes were glazed.

I spoke again to the male who had reported the incident to us. I told him that there was no camera in the phone and that he should try to ignore WALSH. I told him to call us again if he had further problems with WALSH.



Signature: Signature witnessed by:

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT. NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION
OPERATOR 55311, STANLAKE CIV

URN 47 Stn MOW Vdu MOW81/MOW81 Tme 00:39 Dte 16/01/11 Op 54875

Reported by FEC NON EMERG PHONE [REDACTED]
Brief Incident Details

CALLER REPORTING PROBLEMS WITH LANDLORD AT SIG
NOT PACT PRIORITY * NOT ONGOING PROBLEM * NOT REPEAT CALLER

Location of Incident

Feature PADDYS BAR,107
Street WINNER STREET
Area PAIGNTON,DEVON Postcode TQ3 3BP
Beat FP2C OSGR 288473060701 Location Ref 8/1/64/437

Caller THIRD PARTY

Name [REDACTED] Title MR

House [REDACTED]

Street [REDACTED]

Area [REDACTED]

Tel. No [REDACTED] Confirmed N

Time and Date of Incident 0039 16/01/11

Classification ANTI SOCIAL BEH ROWDY/NUISANCE BEHAVIOUR

Graded Response NON ATTENDANCE Sec Lev 1

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Resources Dealing with this Incident

P.C.S C.C.S Name Disp. Arr Left Canc, Infd. C Infd Dealt Wt

No Resources Assigned To This Incident

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URN 47 Stn MOW Vdu MOW81/MOW81 Tme 00:39 Date 16/01/11 Op 54875 Page 1

Op	Time	Text
54875	0041 16/01/11	Invalid pluscode entry
54875	0041 16/01/11	View Incident Links
54875	0042 16/01/11	List Open Incs. By Division/section
54875	0043 16/01/11	RP STATES THAT [REDACTED] LANDLORD OF SIG IS
54875	0043 16/01/11	TAKING PICTURES/VIDEOING OF [REDACTED]
54875	0043 16/01/11	*
54875	0043 16/01/11	OCCURRED THIS EVENING
54875	0043 16/01/11	RP WITNESSED MALE IN SIG LOOKING OUT WINDOW AND POINTING
54875	0043 16/01/11	MOBILE AT HIM
54875	0043 16/01/11	Update Existing Associated Person
54875	0043 16/01/11	View Incident 23,16/01/11
54875	0043 16/01/11	[REDACTED] (3402526) - CALLER
54875	0044 16/01/11	OIS LOG 23
54875	0044 16/01/11	OIS LOG 23 16/01/11 POSS RELATES
54875	0044 16/01/11	RP STATES THAT THERE HAVE BEEN PROBS WITH YOUTHS IN
54875	0044 16/01/11	STREET TONIGHT
54875	0045 16/01/11	Defer to F=FPFB=SGT Date 16/01/11 Time 0700
54875	0045 16/01/11	FOR INFO AND CONTACT
54875	0045 16/01/11	TKS
54875	0045 16/01/11	RPS MOBILE 07837857193
16204	0111 16/01/11	SB41N HAVE DEALT WITH THIS AND WILL UPDATE LATER.
16355	0127 16/01/11	FROM SB41N WHILST DEALING WITH LOG 23 WE WERE REQUESTED
16355	0127 16/01/11	TO HAVE A WORD WITH THE LANDLORD BY THE RP AFTER HE WAS
16355	0127 16/01/11	SEEN TO BE VIDEOING HIS PARTNER. WE KNOCKED ON THE DOOR
16355	0127 16/01/11	TO THE PUBLIC HOUSE HOWEVER GOT NO REPLY. ON LOOKING AT
16355	0127 16/01/11	THE FRONT OF THE PUB WE THEN SAW THE DPS PADDY WALSH
16355	0127 16/01/11	HOLDING A MOBILE PHONE FROM UNDER THE BLINDS UP IN THE
16355	0127 16/01/11	DIRECTION OF THE RPS ADDRESS. WE SPOKE WITH PADDY ASKING
16355	0127 16/01/11	IF WE COULD SPEAK WITH HIM HOWEVER HE REFUSED TO ENGAGE
16355	0127 16/01/11	WITH US OR LET US IN TO TALK WITH HIM. HE WAS HOLDING
16355	0127 16/01/11	WHAT APPEARED TO BE A MOBILE PHONE UP AT THE WINDOW AS I
16355	0127 16/01/11	TO BE FILIMING HOWEVER NO CAMERA COULD BE SEEN ON IT.
16355	0127 16/01/11	PADDY WAS CLEARLY INTOXICATED AND WAS CLEARLY ANTI
16355	0127 16/01/11	POLICE. HE WAS CONFRONTATIONAL TO OFFICERS REGARDING WHA
16355	0127 16/01/11	HE WAS DOING AND COMMENTED THAT HE WAS NOT HAPPY THAT ON
16355	0127 16/01/11	OF THE OFFICERS HAD PREVIOUSLY REPORTED HIM TO THE
16355	0127 16/01/11	LICENCING DEPARTMENT. AN L10 HAS BEEN SUBMITTED.
16355	0127 16/01/11	RP UPDATED AND HAPPY WITH ACTION TAKEN.
16355	0127 16/01/11	WE GAVE THE BEST WORDS OF ADVICE WE COULD TO PADDY WALSH
16355	0127 16/01/11	BEARING IN MIND HE REFUSED TO ANSWER THE DOOR OR TALK TO
16355	0127 16/01/11	US PROPERLY.
16355	0128 16/01/11	Deferral Removed
16355	0128 16/01/11	Incident for closure enquiry
16355	0128 16/01/11	FOR CLOSURE PLEASE

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT IS NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

CONFIDENTIAL. THIS PRINT OUT IS COVERED BY THE DATA PROTECTION ACT
TEXT. NOT NECESSARILY A VERBATIM ACCOUNT OF THE TELEPHONE/RADIO CONVERSATION

URN 47 Stn MOW Vdu MOW81/MOW81 Tme 00:39 Date 16/01/11 Op 54875 Page 2

Op	Time	Text
Syscon	0130 16/01/11	Incident For Closure Time Reached
10664	0132 16/01/11	FROM SB41N - WE HAVE ATTENDED PADDY'S BAR, THE LAND LORD
10664	0132 16/01/11	PADDY WALSH, WAS PRESENT AT THE ADDRESS. HE WAS CROUCHED
10664	0132 16/01/11	DOWN IN THE FAR LEFT WINDOW AT THE FRONT OF THE PREMISES
10664	0132 16/01/11	AS YOU LOOK AT IT FROM WINNER STREET. HE HAD A MOBILE
10664	0132 16/01/11	PHONE IN HIS HAND WHICH HE WAS POINTING AT AN ADDRESS
10664	0132 16/01/11	ACROSS THE STREET. I LOOKED AT THE CAMERA PHONE THROUGH
10664	0132 16/01/11	THE WINDOW - SORRY I LOOKED AT THE PHONE THROUGH THE
10664	0132 16/01/11	WINDOW AND SAW THAT IT HAD NO CAMERA ON IT!!! PADDY WAS
10664	0132 16/01/11	ASKED WHAT HE WAS DOING TO WHICH HE DID NOT ANSWER. PADD
10664	0132 16/01/11	WAS ASKED TO COME TO THE DOOR SO WE COULD SPEAK TO HIM
10664	0132 16/01/11	BUT SAID THAT HE DID NOT HAVE TO SPEAK TO US AND RESFUSE
10664	0132 16/01/11	TO LET US IN. PADDY WAS CONFRONTATIONAL TO PC 6355 LE
10664	0132 16/01/11	MESSURIER SAYING THAT SHE HAD ALREADY GOT HIM IN TROUBLE
10664	0132 16/01/11	WITH THE LICENSING DEPT.
10664	0132 16/01/11	THE R/P HAS BEEN ADVISED THAT THE PHONE IS NOT A CAMERA
10664	0132 16/01/11	PHONE SO THE LAND LORD CANNOT BE RECORDING HIM.
10664	0132 16/01/11	I WILL SUBMIT AN L10.
10664	0132 16/01/11	PLEASE CLOSE THE LOG.
55910	0220 16/01/11	Deferral Removed
55910	0220 16/01/11	Incident Closed By Terminal MOER32
55910	0220 16/01/11	Incident End (Result / Close)
51971	0220 16/01/11	Incident Close/Result Failed

79

MINUTES OF MEETING

PAIGNTON POLICE STATION – MONDAY 24 JANUARY 2011

RE PADDY'S BAR, 107 WINNER STREET, PAIGNTON

Present: Chief Inspector James NYE
Neil STANLAKE, Police Licensing Officer
Julie SMART, Police Licensing Officer
Mr Patrick WALSH, Premises Licence Holder and DPS of Paddy's Bar

C/Insp NYE explained that Mr WALSH had been invited to attend Paignton Police Station due to growing police concerns about the way in which Paddy's Bar was being run. C/Insp NYE then ran through the details of 9 incidents that had occurred at or been linked to the premises since February 2010.

A discussion then took place regarding CCTV at the premises. Mr WALSH admitted that he cannot download footage for release to the police as he does not know how to operate the system. He was advised to seek guidance from his CCTV supplier.

A discussion followed re Mr WALSH's attitude towards the police. During an incident on 16 January 2011 Mr WALSH refused police officers entry to his premises and swore at them. Mr WALSH stated that the incident occurred after closing time and the premises were empty. C/Insp NYE stated that although this was the case, Mr WALSH should be co-operating with the police. Mr WALSH denied using abusive language to the officers.

C/Insp NYE stated that the police have evidence of the premises contributing to crime and disorder, obstruction of the police, serving drunks and several incidents of Mr WALSH being drunk on the premises. He pointed out that Mr WALSH had received two written warnings and several verbal warnings but did not appear to be taking his responsibilities seriously. Mr WALSH was informed that should there be any further incidents in relation to his premises the police would seek a Review of the Premises Licence, and police officers will be monitoring the conduct of the premises for the foreseeable future. C/Insp NYE further stated, "I expect you to be sober and helpful and you need to sort out your inability to download your CCTV". When asked if he had any questions, Mr WALSH replied, "NO, NOT REALLY".

Neil STANLAKE then raised the issue of Mr WALSH's drinking habits, and stated that it is not acceptable for a DPS to be heavily intoxicated as standards get lowered. He asked Mr WALSH, "Do you need help with your drinking?", to which Mr WALSH replied, "NO, I DON'T THINK SO. I DO HAVE A DRINK EVERYDAY I ADMIT". He also stated that he did not think there had been that many incidents at his premises.

Neil STANLAKE advised Mr WALSH to read through his Premises Licence and ensure he complies with it. Neil explained that this meeting was a last resort, and

there would be no more warnings. If any further incidents occur, the police will seek a Review. Mr WALSH was advised to contact the Licensing Department if he needs any help or advice.

C/Insp NYE summed up the main reasons for the police concerns and stated that he wished Mr WALSH to:

1. Sort out CCTV by mid February and contact Licensing Department when this has been done.
2. No further incidents to occur at the premises, but if they do Mr WALSH will co-operate with the police.
3. Mr WALSH not to be drunk whilst at his premises.

Neil STANLAKE then referred to an email which had been received from a local resident in which it is alleged that the premises were selling alcohol after permitted hours and that on occasions customers visit the premises at 8.00 am in the morning to purchase alcohol. Mr WALSH's response to this was "NO, NEVER".

The meeting then concluded.

Our ref: Lic/Dev/njs

Your ref:

Mr P J Walsh
Designated Premises Supervisor
Paddy's Bar
107 Winner Street
PAIGNTON
TQ3 3BP

Licensing Department
Devon and Cornwall Constabulary
PO Box 1
PAIGNTON TQ3 2YF

24 January 2011

Telephone: 01803 841327

Dear Sir

I write to you in your capacity as Premises Licence Holder and Designated Supervisor, of Paddy's Bar, 107 Winner Street, Paignton, following a meeting at Paignton Police Station on Monday 24 January 2011 with Chief Inspector Nye.

The meeting was to discuss with you, the police concerns at this time in respect of the way the premises are being run, and the incidents outlined to you.

I am not willing to tolerate badly run licensed premises, which have a negative impact on the Licensing Objectives and I would ask that you carefully consider the discussions and ensure that in future, your premises are run in accordance with the conditions of your premises licence.

In particular, I ask that you take action in respect of the below matters:

1. Ensure CCTV is operating in accordance with the condition on the Premises Licence and that you are able to download and produce copies of footage on request from the police. I need you to contact my Licensing Officers on the above telephone number by no later than 18 February 2011 to confirm that you have dealt with this.
2. Ensure that no further incidents occur in the premises, however should an incident occur, that you co-operate fully with my officers.
3. That you are not heavily intoxicated whilst in charge of your premises.

I have instructed my officers to pay close attention to your premises for the foreseeable future and if there are any further problems I will not hesitate to apply for a Review of your licence. I do hope this will not be necessary.

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

Yours faithfully

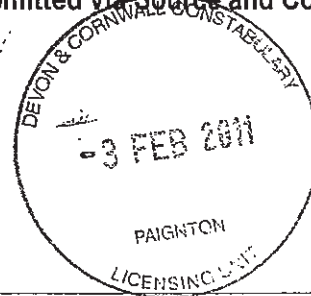


Superintendent R Baker
Geographic Superintendent - Torbay

File No.:	Computer URN:	Minute No.:
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: PADDY'S BAR
Address: WINNER STREET PAIGNTON

Report type: Visit Incident Other OP GRENNALL **Date:** 31/01/2011 **Time:** 1740
QIS Ref.: 516 24/1/2011 **Crime No.:**

Brief summary / action taken (if not recorded elsewhere):

Attended location as part of licencing checks re OP Grenall.

Within the premises was licencee MR PATRICK WALSH. The premises was busy with all the seats within the bar area taken and persons stood at the bar. On my arrival MR WALSH was sat at a table in the corner of the bar area, with two other males. He was drinking from a bottle. He stood-up and immediately was unsteady on his feet. I walked to the side of the bar, near-to the smoking area, which was quieter so that I could talk to MR WALSH. He approached me and his eyes were glazed, he placed his now finished bottle of alcohol down. He then turned to face me and leant against a wall. In my opinion this was to steady his body and not to appear drunk.

MR WALSH was polite throughout and chatty. He was, in my opinion drunk and taking a lot of effort to not slur his words.

MR WALSH was not in any fit state to carry out his duties as the DPS.

Submitted by: Name: J. Morrison. **Force No.:** 5548
Signed: **Date:** 31 | 1 | 2011 **Time:** —

Action taken by Licensing Unit:

Licensing officer: 55311
Forwarded to Daily Tasking: —

Ⓢ
Ⓐ 31/2/11.

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

PC 5548 MORRISON and PC 6355 LE MESSURIER

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
 Name of DPS (or person in charge if no DPS):
 Helpful Unhelpful Obstructive Other: DRUNK
2. Premises Licence (summary displayed)? Yes No
 (It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
 (A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No Working at time of visit? Yes No
 Incident captured? Yes No Staff able to download? Yes No
 Image quality? Good Poor Other:
2. Door staff on duty? Yes No If Yes, number:
 SIA licensed? Yes No Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No (The Smoking Area Signs 'INSIDE')

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

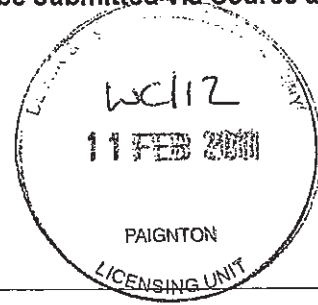
Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

File No.:	AP/0146	Computer URN:		Minute No.:	
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddys Bar
Address: Winner Street Paignton

Report type: Visit Incident Other
Date: 05/02/11 Time: 2110
CIS Ref.: _____ Crime No.: _____

Brief summary / action taken (if not recorded elsewhere):
On Saturday 5th February 2011 at 2110hrs I visited Paddys Bar , Winner St , Paignton. On entry I asked where Paddy was several persons in the bar stated "He is in the smoking area" pointing towards the rear of the premises. The DPS Paddy was sitting in the fully enclosed smoking area at the rear of the premises he was sitting down drinking a pint of guinness staing it was his second. There were two other persons present in this area who were smoking. I reminded Paddy about his responsibilities as a landlord and left the premises.

Submitted by: Name: N.Healey PC1164 Force No.: 1164
Signed: _____ Date: 10/02/11 Time: 1610HRS

Action taken by Licensing Unit:
10/2/11. Contacted TBC. They will pass to the Food/Hygiene team for their info + action.

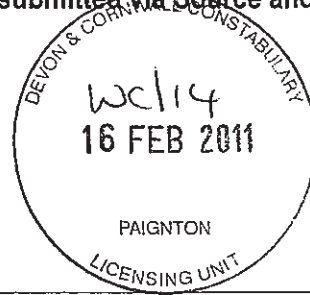
Licensing officer: *[Signature]* 5534
Forwarded to Daily Tasking:

(c) 11/02/11

File No.:	AP/0146	Computer URN:	Minute No.:
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To be completed for any incident or for information on any licensed premises. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.



Name of premises: Paddy's Bar
Address: Winner Street Paignton

Report type: Visit Incident Other
Date: 15/02/11 Time: 1905
OIS Ref.: 516 24/01/11 Crime No.:

Brief summary / action taken (if not recorded elsewhere):
Did visit as part of op Grenall - there were only two customers in the bar. A female bar staff was serving and Mr Walsh was standing the public side of the bar. He was trying not to engage in conversation and it was obvious that this was because he was trying not to let us know how drunk he was. When he did speak his speech was slurred. No disorder.

Submitted by: Name: Paula Bayley Force No.: 16717
Signed: Date: 15/02/11 Time: 2110

Action taken by Licensing Unit:
See email attached from WPC Bayley for clarification.

Licensing officer: *[Signature]*
Forwarded to Daily Tasking:

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Officers present at inspection:

6717 1797

Administration:

1. Designated Premises Supervisor (DPS) on the premises? Yes No
Name of DPS (or person in charge if no DPS): Walsh
 Helpful Unhelpful Obstructive Other:
2. Premises Licence (summary displayed)? Yes No
(It should be displayed in the public area)
3. Premises Licence (complete) produced to officers? Yes No
(A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
Incident captured? Yes No
Image quality? Good Poor Other:
Working at time of visit? Yes No
Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number:
SIA licensed? Yes No
Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

STANLAKE Neil 55311

From: STANLAKE Neil 55311 on behalf of Licensing Torbay
Sent: 16 February 2011 18:38
To: BAYLEY Paula 16717
Subject: RE: L10 Licensed Premises Report - Paddys Bar RESTRICTED

Paula,

Thanks for clarifying that.

Regards

Neil

From: BAYLEY Paula 16717
Sent: 16 February 2011 18:23
To: Licensing Torbay
Subject: RE: L10 Licensed Premises Report - Paddys Bar RESTRICTED

Neil, he was able to walk ok and was standing up but his eyes were a little glazed. He did speak briefly but his speech was slightly slurred. We would not say he was legless but he had certainly consumed a few and was due to shut up as he was so quiet. He was not serving and so with the few customers he had he was probably fit to be running the bar at that time.

Paula

From: STANLAKE Neil 55311 **On Behalf Of** Licensing Torbay
Sent: 16 February 2011 06:47
To: BAYLEY Paula 16717
Subject: RE: L10 Licensed Premises Report - Paddys Bar RESTRICTED

Paula,

Are you able to expand on what you say about Walsh's condition.

Was he unsteady on his feet, were his eyes glazed, did you challenge him about how much he had had to drink that day, up until the time you visited his premises, did you consider he was in a fit state to be running his pub etc ?

Thanks

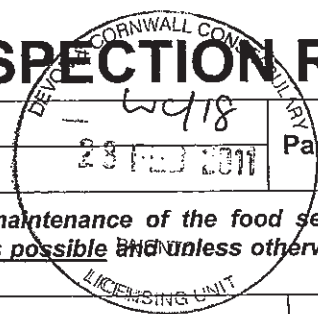
Neil

From: BAYLEY Paula 16717
Sent: 15 February 2011 21:13
To: Licensing Torbay
Subject: L10 Licensed Premises Report - Paddys Bar RESTRICTED



FOOD SAFETY INSPECTION REPORT

88



Trading Name PADDY'S BAR Address 104 WINNER ST. PAIGNTON. Page 1 of 1


STATUTORY REQUIREMENTS - These items relate directly to the maintenance of the food service operation and cleanliness. Contraventions of these items should be corrected as quickly as possible ~~and~~ unless otherwise stated you must have completed the items by my next routine inspection.

Item No.	Description	Breach	Correct By
1	<u>Smoke-Free Regulations</u> The above regulations state that smoking shelters must be less than 50% enclosed. The rear area of this premises does not comply with this requirement and cannot therefore be used for smoking.	<u>Smoke free regulations</u>	<u>28/2/11</u>

Signed: [Signature] Proprietor/ Proprietor's representative (delete as appropriate) Signed: [Signature] Senior EHO/ Food Safety Officer/ Technical Officer

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Licensing Act 2003
Premises Licence

LOCAL AUTHORITY	
	Licensing Section Torbay Council Roebuck House Abbey Road TORQUAY DEVON TQ2 5EJ

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
Paddy's Bar & Restaurant	
107 Winner Street, Paignton, Devon, TQ3 3BP.	Telephone 01803 525952

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> - an indoor sporting event - a performance of live music - any playing of recorded music - entertainment facilities for making music - 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
C. Indoor sporting event	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0030. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
E. Performance of live music (Indoors)	Monday to Sunday Live Music is restricted to three nights per week.	11:00am	11:30pm
F. Playing of recorded music (Indoors)	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0100. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
I. Provision of facilities for making music (Indoors)	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0100. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 2300-0030. On New Years Eve from the end of permitted hours on New	11:00pm	Midnight

Licensing Act 2003
Premises Licence

459

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

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors) continued ...	Years Eve to the start of permitted hours on the following day.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	11:00am	Midnight
	Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0030. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	11:00am	12:30am
Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0100. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

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

Part 2

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

Patrick Joseph Walsh

Sandra Ann Walsh

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

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Patrick Joseph WALSH

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. PA1541

Issued by Torbay

F. K. Hughes

Frances Hughes
 Assistant Director of Environmental Health and Consumer Protection
 16 July 2008



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.

ANNEXE 2**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE****Restrictions transferred from the On Licence**

The restrictions related to permitted hours do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purpose of the trade or club.
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.

Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

ANNEXES continued ...

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

General

None

The Prevention of Crime and Disorder

1. Digitalized CCTV system with recording facility shall be available to police.
2. A burglar alarm shall be installed and maintained.
3. Tills shall be emptied nightly.
4. There shall be no admission to large groups of males, or to persons appearing near-drunk.
5. There shall be regular monitoring of customers' consumption levels.

Public Safety

1. The premises shall be well-lit inside and out, with handrails to the side of dining area.
2. There shall be fire precautions as per plan.

The Prevention of Public Nuisance

1. Noise shall be controlled by management instruction, also bearing in mind requirements of dining customers who wish to converse.
2. There shall be no possibility of installation of double glazing as the premises is a listed building.

The Protection of Children From Harm

1. A sign shall be exhibited on the front door - "No admission to anyone under 21 years" (aimed at 16-17 year olds).
2. Children shall only be admitted if accompanied by a responsible adult.
3. There shall be a full range of soft drinks available.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The prevention of public nuisance

1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm. The criteria applied, from boundary to nearest residential property are;

ANNEXES continued ...

- (a) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
- (b) After 11pm - Noise emanating from the premises shall not be clearly distinguishable above background levels of noise.
- (c) The Local Authority shall reserve the right in cases of tonal noise and where premises are attached to others to make further assessments from within the residential property.

- 2. The main entrance door shall be kept shut during amplified live music to reduce noise breakout.
- 3. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management.
- 4. Amplified live music until 23.30hrs shall be limited to not more than three evenings per week.

ANNEXE 4

PLANS

Copy attached to Licence.

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R16041
R159986

Agenda Item 6 Appendix 4

Chief Licensing Officer
Licensing & Public Protection
Torbay Council
Roebuck House
Abbey Road
Torquay
TQ2 5TF



Date:- 5 March 2011

Ref :- Formal Plea to Retain License to Sell Alcohol
Paddy's Bar
107 Winner Street
Paignton
TQ3 3BP

Dear Sirs;

Following the erection of formal notices upon the exterior of my public house, I write to you with a personal plea and offer of rectification. Over the last 18 months we seem to have had a small number of "disturbance incidents" seemingly caused by people who frequent our licensed establishment, which have caused concern to one local resident in particular. Clearly I am aware of some of these events, but in mitigation sometimes these events happen outside of my premises and as such beyond my control. The concerned resident(s) naturally assume it is the result of those people consuming large amounts of alcohol upon my premises, which is more often not the case. As an example some of these disturbances are directly the result of refusing to serve alcohol to clients who have clearly become intoxicated in other local licensed establishments.

However I am totally aware of my responsibilities as a Licensed Landlord, and that these events could have been perhaps handled in a better and more sensitive manner and to that end I have made a decision that will hopefully rectify the matter. With the Licensing Authorities approval I will immediately seek to engage an appropriately licensed and experienced Manager / Manageress who will run Paddy's Bar in a manner that will not further offend either the licensing authority or local residents. I would stress I would have no further involvement in the running of Paddy's Bar other than that of a financial silent partner. I respectfully remind you that this has been a hard decision to make and as such it is one that has taken time to confirm that this offer is the right course of action to take.

Please can you indicate if my proposal is suitably robust and meaningful to ensure the continuance of a long established local business and ongoing employment for my dedicated staff, Furthermore I am fully receptive to constructive advice and take immediate steps to assist in the rectification of this urgent matter.

Yours Respectfully,

Mr. Patrick Walsh
Landlord (Paddy's Bar)

Copies to:-

Environmental Protection Team (Public Nuisance)
Environmental Health & Consumer Protection
Roebuck House
Abbey Road
Torquay
TQ2 5EJ;

The Chief Officer of Police
Devon and Cornwall Constabulary Licensing Section
Paignton Police Station
PO Box 1
Paignton
TQ3 2YF



Report No: **91/2011** Public Agenda Item: **Yes**

Title: **Suspension of Hackney Carriage Driver's Licence – Mr Paul Stone**

Wards Affected: **All**

To: **Licensing Sub-Committee** On: **21 April 2011**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Steve Cox**
Telephone: **01803 208034**
E.mail: Steve.cox@torbay.gov.uk

1. What we are trying to achieve

- 1.1 This report concerns a Hackney Carriage Driver who despite several warnings has failed to comply with the Road Traffic Orders and Byelaws of Torbay Council whilst going about his business.

2. Recommendation(s) for decision

- 2.1 It is recommend that:

1. Mr Paul Stone's Hackney Carriage Driver's Licence be suspended for 7 days.

3. Key points and reasons for recommendations

- 3.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- 3.2 Section 61 Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority the power to suspend or revoke a Hackney Carriage Driver's Licence for 'any other reasonable cause'.
- 3.3 This report concerns Hackney Carriage Drivers queuing and parking in areas in Torbay covered by Road Traffic Orders, as well as causing an obstruction to other road users. This has resulted in complaints from The Police, other road users and members of the public, as well as the general concerns Officers have about safety. This is particularly prevalent on Torquay harbour side but applies elsewhere too.

- 3.4 Although a number of different measures had been tried and three letters sent to all Hackney Carriage Drivers during 2009, problems were not resolved. In an attempt to address this, the Officer working party, with attendees from Parking Enforcement, Highways, Licensing, Transportation and the Police met again. It was decided at this meeting to threaten to move the Taxi's ranks from The Strand, onto Torwood Street. This raised significant concerns so Officers attended a meeting with taxi drivers. The outcome of that meeting is that a trial was implemented to see if the Hackney Carriage drivers would comply with the road Traffic Orders. To help this, significant enforcement took place as well. A letter was sent to all Hackney Carriage Drivers advising them of the trial and the enforcement that would take place both on the harbourside and elsewhere, see Appendix 3.
- 3.5 Despite these letters of which all were sent to Mr Stone, on 29 October 2010 at 23.07 a Licensing Enforcement Officer witnessed Hackney Carriage Licence Number HC132, registration number MF58 HNL, parked in such a way that it was overhanging into the carriage way from the back of Vaughn Parade Short Rank. This was observed for 3 minutes. Mr Stone was subsequently sent a letter dated 4 November 2010 about this incident.
- 3.6 At 2343 on the 18 February 2011, Hackney Carriage Number HC132, registration number MF58 HNL, was witnessed by a Licensing Enforcement Officers overhanging the carriage way from the back of the Vaughn Parade Short Rank, for 7 minutes. Again at 0022 on 19 February 2011 the same vehicle was witnessed by Licensing Enforcement Officers parked illegally on double yellow lines at the back of the bus bay on the seaward side of Torquay Harbour. A letter was sent to Mr Stone on the 4 March 2011 regarding these incidents and requesting an explanation.
- 3.7 The above incidents are in contravention of both the Road Traffic Order and Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles Byelaws.

For more detailed information on this proposal please refer to the Supporting Information.

**Frances Hughes
Executive Head Community Safety**

Supporting information to Report 91/2011

A1. Introduction and history

- A1.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- A1.2 Section 61 Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority the power to suspend or revoked a Hackney Carriage Driver's Licence for 'any other reasonable cause'.
- A1.3 This report concerns Hackney Carriage Drivers queuing and parking in areas in Torbay covered by Road Traffic Orders, as well as causing an obstruction to other road users. This has resulted in complaints from The Police, other road users and members of the public, as well as the general concerns Officers have about safety. See Appendix 1. This is particularly prevalent on Torquay harbour side but applies elsewhere too.
- A1.4 This biggest area for complaints and the concerns of Officers is around the bus bays and taxi ranks on The Strand and on The Clocktower roundabout, as well as the GPO roundabout. Officers' concerns relate to the risk to pedestrians crossing the road, or alighting from buses, where they are away from the kerbside and being hit by a moving vehicle. There are also significant concerns about taxis obstructing the highway particularly at the exit to the roundabout and being a danger to other road users. There have been 13 road traffic accidents in the past 13 months up to December 2010 on the harbourside alone, though not all related to taxis. Torbay Council as the Licensing, Highways and Parking Enforcement Authority needs to exercise a duty of care in these matters, as informal attempts to resolve the issue have been unsuccessful.
- A1.5 Although a number of different measures had been tried and three letters sent to all Hackney Carriage Drivers during 2009 (see Appendix 2), problems were not resolved and this resulted in a number of Drivers having their Drivers Licences suspended.
- A1.6 In a further attempt to address this, an Officer working party, with attendees from Parking Enforcement, Highways, Licensing, Transportation and the Police, met. It was decided at this meeting to threaten to move the Taxi's ranks from The Strand, onto Torwood Street. This was put to representatives of the Hackney Carriage Drivers in early August 2010. They raised significant concerns therefore Officers were invited to attend a meeting of the Taxi Trade Association.
- A1.7 The outcome of that meeting is that a trial was implemented to see if the Hackney Carriage drivers would comply with the road Traffic Orders. To help this significant enforcement took place as well. A letter was sent to all Hackney Carriage Drivers advising them of the trial and the enforcement that would take place both on the harbourside and elsewhere, see Appendix 3. Overall this approached worked well, though since the end of the trial and the reduction in enforcement some drivers have returned to being less compliant. However it is important to note the majority still comply and at this time it has been felt that to move the ranks would disadvantage those, although it still remains an option.

- A1.8 What follows is the failures of Mr Stone to comply with Road Traffic Orders both in Torquay Town Centre and on the harbourside.
- A1.9 Despite these letters of which all were sent to Mr Stone, on 29 October 2010 at 23.07 a Licensing Enforcement Officer witnessed Hackney Carriage Licence Number HC132, registration number MF58 HNL, parked in such a way that it was overhanging into the carriage way from the back of Vaughn Parade Short Rank. This was observed for 3 minutes. See Appendix 4. Mr Stone was subsequently sent a letter dated 4 November 2010 about this incident. See Appendix 5.
- A1.10 At 2343 on the 18 February 2011, Hackney Carriage Number HC132, registration number MF58 HNL, was witnessed by a Licensing Enforcement Officers overhanging the carriage way from the back of the Vaughn Parade Short Rank, for 7 minutes. Again at 0022 on 19 February 2011 the same vehicle was witnessed by Licensing Enforcement Officers parked illegally on double yellow lines at the back of the bus bay on the seaward side of Torquay Harbour. See Appendix 6. A letter was sent to Mr Stone on the 4 March 2011 regarding these incidents and requesting an explanation. See Appendix 7.
- A1.11 The above incidents are in contravention of both the Road Traffic Order and Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles Byelaws.
- A1.12 Mr Stone responded to the letter dated 4 March 2011 by a letter dated 8 March 2011. See Appendix 8.
- A1.13 Attached is a map of the location, giving the Road Traffic requirements that apply to the harbourside. See Appendix 9.
- A1.14 It should be noted that the harbourside is a very busy area with many competing interests. One argument put forward by some drivers is that there is insufficient space for taxis. There is no requirement in law for Torbay Council to provide Taxi Ranks; however the Council does provide space as Taxis provide an important part of an integrated transport strategy, helping to address late night economy issues. The taxi ranks are reviewed regularly as part of the Council's unmet demand study for Hackney Carriages. If 'no waiting areas' are excluded, Taxi ranks make up 18% of the space before midnight and 26% after midnight. This does not at this time include the new rank outside The Clocktower public house. See Appendix 10.
- A1.15 A copy of Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles Byelaws is attached at Appendix 11.
- A1.16 It is recommended that Mr Stone's Hackney Carriage Drivers Licence be suspended for 7 days.
- A1.17 There is a right of Appeal. Any Appeal would be to the Magistrates' Court within 21 days from the date of a Notice being sent out following the decision.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

- A2.1.1 There are no significant risks if the recommendation is agreed. The potential risks to other road users and pedestrians would be reduced by agreeing the

recommendation. However, there is the potential for an Appeal to the Magistrates' Court which may incur a financial cost.

A2.1.2 If the recommendation is not followed, then the risk may be greater in the long term, as the issue of ignoring the Road Traffic Orders and Byelaw may continue with the potential for further road traffic accidents or worse.

A3. Options

A3.1 The options are:

- (i) to grant the suspension
- (ii) to refuse the suspension
- (iii) to suspend for a different period of time
- (iv) to revoke the licence

A4. Summary of resource implications

A4.1 There are resource implications if there is an Appeal to the Magistrates' Court against the suspension.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

A5.1 There are no impacts upon equalities and environmental sustainability. There are potential crime and disorder issues associated with obstruction of the highway, but this approach should address those.

A6. Consultation and Customer Focus

A6.1 There has been no public consultation on this matter, although the drivers are aware of the issues both from their Taxi handbook, from the letters they have received and from a Taxi Trade Association meeting.

A7. Are there any implications for other Business Units?

A7.1 There are no implications for other business units.

Appendices

Appendix 1 Letter from Richard Brown Parking Operations Officer dated 28th January 2010

Email from the Police dated 4th Feb 2010

Briefing note from Lesley Dransfield dated 27th January 2010 and from Christine Ratcliffe Operations Manager at Stage Coach dated 28th January 2010.

Appendix 2 Letter to All Hackney Carriage Drivers dated 16th January 2009

Letter to All Hackney Carriage Drivers dated 3rd April 2009

Letter to All Hackney Carriage Drivers dated 4th December 2009

Appendix 3 Letter to All Hackney Carriage Drivers dated 31st August 2010

Appendix 4 Enforcement sheet for 29th October 2010

Appendix 5 Letter dated 3rd November 2010 to Mr Stone

Appendix 6 Enforcement sheets dated 18th February 2011 and 19th February 2011

Appendix 7 letter dated 4th March 2011 to Mr Stone

Appendix 8 Letter from Mr Stone dated 8th March 2011

Appendix 9 Plan of Road Traffic Orders in place on Torquay harbour side

Appendix 10 Spreadsheet showing the percentage of Taxi Rank space on the harbour side

Appendix 11 A copy of Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles

Documents available in members' rooms

None

Background Papers:

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

None

Appendix 1

Steve Cox
Principle Licensing Officer
Torbay Council

Please reply to: Richard Brown

Parking Operations Officer

Torbay Council

P O Box 422

Torquay, TQ2 5WU

My ref: RB/DW/Taxi

Your ref:

Telephone: 01803 207674

Fax: 01803 614302

E-mail: Richard.brown@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 28 January 2010

Dear Steve

Illegal Parking by Taxis in Torbay

For the past three years we have seen escalating problems with taxis parking illegally in Torbay. In particular in Torquay in Union Street, GPO Roundabout and within the Harbour side area during the evenings.

We have received a high volume of complaints over the years in particular from Stagecoach where taxis park in bus stops preventing buses alighting passengers safely, from bus users and members of the public who feel taxis are permitted to park illegally and not suffer the consequences. In general the illegal parking on double yellow lines, bus stops etc are causing congestion in busy town centre areas and road safety issues.

The problems we experience in enforcing the illegal parking is that the drivers are present with their taxis at all times and when we approach them in regard to enforcing the illegal parking they simply drive off to avoid enforcement. Our legal procedures dictate presently that the Penalty Charge Notice (PCN) has to be physically attached to the vehicle or handed to the driver and the taxis know this procedure well and will exit the location to avoid the issue of the PCN. This is very frustrating but we are putting in new plans under new legislation to ensure that the PCN is issued immediately and then it does not have to be affixed to the vehicle or handed to the driver and will be posted to the registered keeper, this we feel will improve enforcement in these circumstances.

We have undertaken increased patrols to deal with the taxi parking problem and even had enforcement staff working to Midnight on quite a few weekends on Torquay Harbour side but alas no PCNs were issued as taxis kept driving round in circles to get on the ranks to avoid the issue of a PCN. Our staff in trying to enforce these vehicle have also been the subject of threats and abuse by a number of drivers.

The problems appear to be much worse during the recent economic climate because there are too many taxis chasing too few fares and therefore the ranks in particular in Torquay are overflowing with taxis. We would greatly appreciate any assistance you could provide us in holding the relevant taxis to account when seen to be parking illegally or abuse our staff, perhaps through the Committee route and suspend licences.

Your assistance in this matter would be most appreciated.

Yours sincerely

Richard Brown
Parking Operations Officer

Steve Cox
Principal Safety and Licensing Officer
Torbay Council, Roebuck House
Abbey Road, Torquay
TQ2 5EJ

PC 864 Moorhouse
NET/PACT TEAM
Torquay Police Station
South Street

04/02/2010

08452 777444

RE: Taxi Drivers on the Harbour Side

Dear Steve,

The intention of this letter is to clarify events of the last 9 months on The Strand involving Taxi Drivers and the issues being caused by them.

Over the last 9 months several problems have been caused and despite our joint efforts (and this includes Police, Council and NCP) the problems have continued and got worse. As you are aware a lot of work has gone in over this issue over the past few months (Inc the Night Time Economy Team) along with yourself and colleagues of yours from the council.

The main issues are with Hackney Carriage drivers. These primarily are constantly parking on the Debenhams side of The Strand, on the roundabout around the clocktower and parking on the exit of the roundabout where they are queuing to get on the bus stop on the harbour side of The Strand. The parking on the roundabout has already caused an accident in the latter part of last year involving a single decker bus which I am aware you know about. However there have been several incidents which have not been reported which have been very near misses. One was on Saturday night as I was issuing a ticket to a Taxi Driver who was parked causing an obstruction, when a double decker number 12 came around the roundabout and was confronted with a stationary taxi stopped in the same place. He slammed on his brakes and skidded on the wet ground missing the Taxi by cm. I am sure there will have been upset passengers, not to mention the driver. The taxi then sped off and unfortunately I did not see who it was.

With reference to parking on the Debenhams side of The Strand, the issue with this is there is nowhere for the buses to pull in causing them to have to block the road to set down passengers and then the passengers having to walk through parked cars to get to the safety of the pavement, which is completely unacceptable. After midnight when the busses stop, the problem is that there is nowhere for other taxis and members of the public to drop off or pick up, often drunk people again, causing the issues just described. Keeping that side of The Strand clear is also important just because often people who are drunk stagger into the road and the extra space can stop serious accidents. The fear is that a fatal RTC is only a matter of time away unless action is taken now.

I have also noticed that the number of Taxis on The Strand is increasing. I am not sure why, maybe more are just choosing to come to Torquay but there is definitely an increase. At one point over the weekend we had a line (parked every and anywhere they could) and I counted 41 Hackney Carriages, which I fear at the time was more than the number of people on The Strand. Also I have serious concerns about the rumours of de-regulation and the issues that it will bring. I spoke to a taxi driver who worked in Swansea when they did it and he said it was carnage, to the point it was reverted after 3 months. I would like to speak to you about this in more detail.

As you are aware I arranged with the drivers in consultation with you that they can use the first part of the bus stop from 21:00hrs in a bid to show that give and take is the best way to proceed.

However since that has been imposed our problem with drivers parking on the roundabout and blocking the exit has only started at 21:00hrs instead of 00:00hrs. Therefore as it was arranged that it would stay whilst it was used sensibly I recommend that this be removed with immediate effect. This is to ensure the continued safety of pedestrians and road users alike. I will have no issue with explaining to the drivers why that privilege has been removed.

I know that the council face difficulties as we do in dealing with this issue, but I must stress that something must be done. I know that space is limited and that there are too many Taxi's using Torquay at the moment. In response to this I have had an idea which involves closing the Vaughn Parade Taxi rank and utilising other currently unused space which will increase the number of Taxis able to fit on a rank. I promise that it is not as crazy as it sounds however it will be easier to discuss with you in person.

I look forward to your reply and please do not hesitate to contact me via email should you need to do so. Also I have emailed you reference meeting up with you in Paignton.

Yours Sincerely,

PC 864 Anthony Moorhouse
P.A.C.T Traffic SPOC
Torbay P.A.C.T Team / Night-Time Economy Team
Devon BCU
TEL : - 41520 / 41424
EMAIL TORBAY P.A.C.T DIRECT

Devon & Cornwall Constabulary aims to serve the communities of Devon & Cornwall and help inspire greater confidence in the Police. For more information please visit our website at www.devon-cornwall.police.uk

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BRIEFING PAPER

TAXI PARKING STRAND, TORQUAY

Since July 2006 the local Bus Company has encountered numerous complaints from drivers stating that they have been experiencing problems mainly on Friday and Saturday evenings with Taxi's taking over the bus bays on the Strand. When this problem occurs the buses cannot get in close to the kerb to load or unload passengers this causes an issue with passengers having to alight in the middle of the road. Also, those with disabilities who find it difficult to get off the bus because it is not adjacent to the kerb cannot alight at their stop.

On one occasion a bus driver noted a number of taxis causing problems on a particular night and one Taxi driver was particularly offensive to him.

Torbay Council has regular meetings with the bus companies and this issue is constantly being raised. Whilst signing and Traffic Orders are in place to prevent vehicles from waiting in the bus bays the problem has continued and bus drivers are becoming very despondent because no one seems to be addressing the issue.

The operation Managers for Stagecoach Bus Company have previously sent in a number of reports over the years completed by their drivers highlighting the taxi drivers causing the offences. These have been passed on to our Licensing Department requesting action be taken against the drivers.

The Licensing Department have informed Highways that many taxi drivers have been spoken with and reminded that it is an offence to park/wait within the Bus Bays however they do not have the power to take away a Drivers Licence and this is a matter for the Licensing Committee.

This is a very frustrating situation for the Council, as the Public Transport Team work to encourage and promote the use of Public Transport throughout the area. This in turn reduces congestion and carbon emissions and ensures buses can access the stops promoting the use for disabled and those with restricted mobility. However if the Bus Companies cannot access their specific bus bays for loading and unloading this discourages customers from using this form of transport.

The Taxi Parking issue has been ongoing for nearly four years since it was originally brought to the Council's attention.

Lesley Dransfield
Public Transport Officer

27th January 2010

Lesley Dransfield
Highways & Engineering
4th Floor Roebuck House
Abbey Road
Torquay
TQ2 5TF

28th January 2010

Dear Lesley,

I write to confirm the ongoing problems with taxis parking at the Strand bus stops.

This issue has been ongoing for the full duration of my time in post as Operations Manager since September 2007. However, I am aware that the previous manager raised this problem as early as 2006.

The main concern from my perspective is one of safety. If my vehicles cannot properly access their designated stopping places they are forced to disembark passengers in the middle of the road. This not only blocks the road for other road users but puts my passengers at risk.

Being unable to pull into the curb at a bus stop increases the potential of passengers falling on to or out of the bus and sustaining physical injuries. It also adds the risk of cyclists colliding with passengers on the nearside of the vehicle, which is a hazard that would otherwise not have been present.

I might add that the vast majority of my passengers are over the age of 60 and therefore many struggle with mobility issues. The step height from the bus to the curb is much lower than that directly onto the road; this in itself can cause physical injury and pain to some passengers.

The act of a taxi simply blocking a bus stop can therefore cause untold damage and is a deterrent to my passengers using my services in future.

We work in partnership with Torbay Council and hope to reach a resolution to this issue as soon as possible.

If you require any further information please do not hesitate to contact me.

Yours Sincerely,

Christina Ratcliffe
Operations Manager -Torbay
Stagecoach South West

Mr Richard McAllister
Operations Manager Torbay
Stagecoach Devon
Regent Close
Shiphay
Torquay
Devon TQ2 7AN

Please reply to: Lesley Dransfield
Highways & Engineering
4th Floor Roebuck House
Abbey Road
Torquay, TQ2 5TF
My ref: LD/SH/30/4/3
Your ref:
Telephone: 01803 207687
Fax: 01803 207670
E-mail: Highways@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 09 February 2007

Dear Richard

Operational Issues – Stagecoach Routes

I am writing to update you regarding various issues you have raised concerning Stagecoach operations throughout Torbay and would ask you to pass the following information onto your staff.

Please note the following progress, which has been made to date:

6. Taxis Parking on the Strand Bus Stops

Following our regular meeting it would appear this matter has not been resolved. Agreed action - The Road Safety Officer along with yourself carried out a site visit on Saturday evening to understand the problems first hand of what the drivers are experiencing. The Road Safety Officer to bring this matter to the attention of the Devon & Cornwall Police at her regular meeting with Officers. Geoff Coleman to liaise closely with Licensing to establish a way forward.

Mr Richard McAllister
Operations Manager Torbay
Stagecoach Devon
Regent Close
Shiphay
Torquay
Devon TQ2 7AN

Please reply to: Lesley Dransfield
Highways & Engineering
4th Floor Roebuck House
Abbey Road
Torquay, TQ2 5TF
My ref: LD/SH/30/4/3
Your ref:
Telephone: 01803 207687
Fax: 01803 207670
E-mail: Lesley.Dransfield@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 04 July 2006

Dear Richard

Operational Issues – Stagecoach Routes

I am writing to update you regarding various issues you have raised concerning Stagecoach operations throughout Torbay and would ask you to pass the following information onto your staff.

Please note the following progress, which has been made to date:

5. Taxis Parking on the Strand Bus Stops

The drivers report regarding taxis parking the entire length of the bus lanes during the late shifts on Saturday nights has been passed onto my colleague Geoff Coleman to deal with at his request.

Appendix 2

Please reply to: Steve Cox,
Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ
My ref: SJC/SJC/0617353

To Hackney Carriage Drivers

Your ref:
Telephone: 01803 208126
Fax: 01803 208854
E-mail: Licensing@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 16th January 2009

Dear

Re: Torquay Harbourside & The Strand Taxi rank and Bus Bay

I am writing to you to advise you on the work being undertaken by Torbay Council and the Police to try and resolve issues that are arising in the use of The Strand, its taxi rank, the adjacent bus bay and the roundabout. During 2008 there have been a number of complaints about this area, mainly about drivers using areas not designated as taxi ranks. I have been tasked to try and find a solution to this problem. It is my view that a compromise is needed because there simply isn't enough space for all the demands made upon this area.

Torbay Council is also working with representatives of the Taxi Association to try and help find a solution.

I think it is important in the first instance to remind you that the only places drivers can queue for fares at this time are the three ranks, on Victoria Parade, on The Strand and on Cary Parade. Though waiting has been tolerated at times on the Bus Bay, it is must clear that the road traffic orders in place prohibit this.

Torbay Council has taken the view that it would be helpful to change the bus bay after midnight on the harbour side of The Strand; however it has to seek approval from the Department of Transport for this change. It has approached them about the change to the existing order and they have agreed with our submission that after midnight the Bus bay on the harbour side can become a taxi rank. This will still need to go through the proper channels of advertising etc, but we are hopeful that this can be agreed by mid March.

Until mid March there is no right to use this bus bay before or after midnight, and should you be approached and asked to move on, or even receive a fixed penalty notice, for doing so, I will expect you to comply. Should any driver make threats or anything similar against Torbay Council personnel or their contractors as some have done, they can expect to be brought before the Licensing Committee with the threat of their driver's licence being suspended. This also applies to any arguments with bus drivers, as they too have been warned and in two cases action has been taken against their drivers.

The same applies to the roundabout, where drivers have been queuing on it. This is simply not acceptable and is not only causing an obstruction but is simply dangerous. Ticketing is now taking

Schools and services for children and young people • social care and housing • recycling, waste disposal and clean streets • community safety • roads and transportation • town planning • tourism, harbours and economic regeneration • consumer protection and licensing • leisure, museums, libraries and arts

If you require this in a different format or language, please contact me.

place in that area, as several drivers have discovered.

Finally, at the start of this letter I said Torbay Council is working with the Taxi Association, and through them we hoped to identify some other potential locations for new ranks. It may be that we are not successful, but we do understand times are hard and if we can help we will. The process is slow and there will be other interests regarding any location, who will have a right to raise their concerns, but if we feel the location is right, I will add my support behind any report to Licensing Committee.

In due course I will write again to confirm any changes we have been able to achieve.

If you have any queries then please ring Craig Noble or myself.

Yours sincerely

Steve Cox
Principal Safety & Licensing Officer
Environmental Health & Consumer Protection

Please reply to: Steve Cox,
Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ
My ref: SJC/SJC/0617353

Your ref:

To Hackney Carriage Drivers

Telephone: 01803 208126

Fax: 01803 208854

E-mail: Licensing@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 3rd April 2009

Dear

Re: Torquay Harbourside & The Strand Taxi rank and Bus Bay

I am writing to you and all other Hackney Carriage drivers to update you on the current situation with respect to taxi ranks and bus bays on the harbourside. The new rank, which is the bus bay on the harbourside of The Strand is now in place, for use after midnight. Stagecoach has agreed to move their final summer buses to the Debenham's side of The Strand to help facilitate this.

Unfortunately Hackney Carriage driver's have taken to using the Debenham's side of The Strand as well, for queuing. This is creating a similar problem that we were trying to resolve on the seaward side, that buses and other vehicles that are using that area legally, are potentially dropping passengers off away from the curb side. This is also happening at the GPO roundabout on the top of Fleet Walk by Tesco's. This could lead to a serious road incident, with potential injury or worse. There have already been a couple of near misses. I am sure this is not something you would wish to see and as a representative of Torbay Council I simply cannot allow to occur.

I must therefore insist that you do not use these areas, notably the bus bays on either side of The Strand and at the old GPO roundabout, by Tesco's. In the case of the seaward side of The Strand, this is just before midnight. This will also apply to any other areas which may cause obstruction of the highway or where there are Road Traffic Orders in place. If anybody is caught using them then they run the risk that action being taken against them, by way of fixed penalty notice or being brought before Licensing Committee.

I am sure this will be seen by many as unreasonable, but you must understand that waiting in these areas is not in compliance with the Road Traffic Orders, which are there to give everybody a share in the road space available, and as I said in my previous letter, there isn't sufficient space for all the competing interests.

Torbay Council is continuing to try and find further alternative spaces, to add to the 31 available after midnight on the harbourside. There are consultations taking place in several areas, following a meeting with the Taxi Association. I will give support to these and work on your behalf to try and secure more rank space, but I cannot promise anything at this time, as at least one location will also require Department of Transport approval, which will take time.

Schools and services for children and young people • social care and housing • recycling, waste disposal and clean streets • community safety • roads and transportation • town planning • tourism, harbours and economic regeneration • consumer protection and licensing • leisure, museums, libraries and arts

If you require this in a different format or language, please contact me.

In due course I will write again to confirm any changes we have been able to achieve, but meanwhile be warned that enforcement action will commence before Easter.

If you have any queries then please ring Craig Noble, Shaun Rackley or myself.

Yours sincerely

Steve Cox
Principal Safety & Licensing Officer
Environmental Health & Consumer Protection

Please reply to: Steve Cox
Safety & Licensing Team
Roebuck House, Abbey Road,
Torquay, Devon
TQ2 5EJ

To All Hackney Carriage Drivers

My ref: SJC/BRE/0618190
Your ref:
Telephone: 01803 208126
Fax: 01803 208854
E-mail: Licensing@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 4th December 2009

Dear

Re: Torbay Harbourside & The Strand Taxi rank and Bus bay

I am writing to you and all other Hackney Carriage Drivers to clarify the article in the Herald Express on Monday 23rd November, which you may have read. Torbay Council and Devon and Cornwall Police have been in discussions over the last 12 months to find solutions to a number of issues regarding the non-observation of Road Traffic Orders by some Hackney Carriage Drivers. This applies to all areas of Torbay, but especially on the harbourside.

In January and April 2009 I wrote to all drivers about what is expected in terms of where they queue or park up, but unfortunately many drivers have ignored my advice. This was re-enforced by the use of staff from NCP to ask drivers not to use certain areas, but again many drivers have since ignored this. These staff, who are doing our work, have often received abuse, which is totally unacceptable. This was only from a minority of drivers and these are being dealt with.

In light of drivers ignoring advice, new technology is being investigated and adopted to mean that drivers may receive fixed penalty notices without the need of any ticket being affixed to a vehicle. In the meantime evidence is being collected by Officers of Torbay Council, NCP staff and the Police of non-compliance with Road Traffic Orders. If you are generally compliant with Road Traffic Orders then you have nothing to concern yourselves about. But should you be witnessed queuing or parking in non-authorized areas you will be brought before Licensing Committee with the risk of having your drivers badge suspended. I take no pleasure in issuing this warning but due to a significant minority ignoring previous requests it has left me with no option. So you must take this as a final warning.

So why are we doing this? Firstly to ensure all road users have their fair share of the limited space. This is particularly true of Torquay harbourside, but this equally applies elsewhere on the harbourside and in Torbay generally. Before midnight taxis have 18% of allocated space on the harbourside. After midnight it is 26%. The second reason is to avoid accidents due to incorrectly queuing or parked vehicles.

Schools and services for children and young people • social care and housing • recycling, waste disposal and clean streets • community safety • roads and transportation • town planning • tourism, harbours and economic regeneration • consumer protection and licensing • leisure, museums, libraries and arts

If you require this in a different format or language, please contact me.

What else are we trying to do?

Discussions continue between various departments and the Police to find solutions and consultation has taken place on a section of road on Torwood Street in recent months, but unfortunately again the objections are too strong to change the present designation. Due to this we are prepared to allow 'unofficially' that the rear of the Strand bus stop 4 spaces to be used between 9pm and midnight. This is not a permanent situation because the development of further bus routes is one of the objectives of Torbay Council and the space may be needed in the future. However it may help us all get through the recession to better times.


There are also other considerations in the pipeline, but these would be linked to harbourside developments, so are not likely to arise in the near future. However we will continue to consider any options that are presented to us.

So as one final reminder, comply with the Road Traffic Orders or run the risk of having your drivers badge suspended, or worse.

Yours sincerely

Steve Cox
Principal Safety and Licensing Officer
Safety and Licensing Section

Licensing Act 2003
Premises Licence

LOCAL AUTHORITY	
	Licensing Section Torbay Council Roebuck House Abbey Road TORQUAY DEVON TQ2 5EJ

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
Paddy's Bar & Restaurant	Telephone 01803 525952
107 Winner Street, Paignton, Devon, TQ3 3BP.	

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> - an indoor sporting event - a performance of live music - any playing of recorded music - entertainment facilities for making music - 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
C. Indoor sporting event	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0030. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
E. Performance of live music (Indoors)	Monday to Sunday Live Music is restricted to three nights per week.	11:00am	11:30pm
F. Playing of recorded music (Indoors)	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0100. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
I. Provision of facilities for making music (Indoors)	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0100. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	Midnight
L. Late night refreshment (Indoors)	Monday to Sunday Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 2300-0030. On New Years Eve from the end of permitted hours on New	11:00pm	Midnight

Licensing Act 2003
Premises Licence

459

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

Activity (and Area if applicable)	Description	Time From	Time To
L. Late night refreshment (Indoors) continued ...	Years Eve to the start of permitted hours on the following day.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	11:00am	Midnight
	Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0030. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	11:00am	12:30am
Bank Holiday Weekends (Friday-Monday inclusive), Christmas Eve, Christmas, Day, Boxing Day - 1100-0100. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

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

Part 2

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

Patrick Joseph Walsh

Sandra Ann Walsh

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

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Patrick Joseph WALSH

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. PA1541

Issued by Torbay

F. K. Hughes

Frances Hughes
 Assistant Director of Environmental Health and Consumer Protection
 16 July 2008



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.

ANNEXE 2**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE****Restrictions transferred from the On Licence**

The restrictions related to permitted hours do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purpose of the trade or club.
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.

Credit Sales

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

ANNEXES continued ...

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

General

None

The Prevention of Crime and Disorder

- 1. Digitalized CCTV system with recording facility shall be available to police.
- 2. A burglar alarm shall be installed and maintained.
- 3. Tills shall be emptied nightly.
- 4. There shall be no admission to large groups of males, or to persons appearing near-drunk.
- 5. There shall be regular monitoring of customers' consumption levels.

Public Safety

- 1. The premises shall be well-lit inside and out, with handrails to the side of dining area.
- 2. There shall be fire precautions as per plan.

The Prevention of Public Nuisance

- 1. Noise shall be controlled by management instruction, also bearing in mind requirements of dining customers who wish to converse.
- 2. There shall be no possibility of installation of double glazing as the premises is a listed building.

The Protection of Children From Harm

- 1. A sign shall be exhibited on the front door - "No admission to anyone under 21 years" (aimed at 16-17 year olds).
- 2. Children shall only be admitted if accompanied by a responsible adult.
- 3. There shall be a full range of soft drinks available.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The prevention of public nuisance

- 1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. Noise should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm. The criteria applied, from boundary to nearest residential property are;

ANNEXES continued ...

- (a) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
- (b) After 11pm - Noise emanating from the premises shall not be clearly distinguishable above background levels of noise.
- (c) The Local Authority shall reserve the right in cases of tonal noise and where premises are attached to others to make further assessments from within the residential property.

- 2. The main entrance door shall be kept shut during amplified live music to reduce noise breakout.
- 3. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management.
- 4. Amplified live music until 23.30hrs shall be limited to not more than three evenings per week.

ANNEXE 4

PLANS

Copy attached to Licence.

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TAXI/PRIVATE HIRE PARKING REPORT FORM

Day :- Friday

Date :- 29/10/10.

CEO No.	VRM No.	TAXI PLATE No (Blue / Red)	TIME SEEN	LOCATION	WHAT WAS BEING OBSTRUCTED	No PHOTOS	COMMENTS (TO INCLUDE ANY DETAILS OF WHETHER ANY OTHER VEHICLE WAS OBSTRUCTED, HOW LONG THEY WERE THERE)
			22:54	VAUGHAN PARADE (SHORT RANK)	5TH CAR ON RANK	1	STICKING OUT INTO CARRIAGE WAY FOR 3 MINS
	MFSB HNC	H C 132	23:07	VAUGHAN PARADE (SHORT RANK)	5TH CAR ON RANK	1	" " "
			23:53	HARBOURSIDE BUS BAY AND VAUGHAN PARADE (SHORT RANK)	ON BUS BAY AND PARKED IN CARRIAGE WAY		PARKED ON BUS BAY THEN MOVED TOWARDS SHORT RANK WHICH WAS BLOCKED. PARKED ON CARRIAGE WAY WITH HAZARD WARNING LIGHTS ON AND DID NOT ATTEMPT TO MOVE. DRIVER WAS

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Appendix 5

Please reply to: Shaun Rackley, Licensing Support
Officer, Licensing & Public Protection,
Roebuck House, Abbey Road,
Torquay, Devon
TQ2 5EJ

Mr P A Stone
(address removed)

My ref: SAR090465
Your ref: **SRU 155843**
Telephone: 01803 208121
Fax: 01803 208854
E-mail: Licensing@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 3rd November 2010

Dear Mr Stone,

Re: Hackney Carriage Number 132 – Registration Number MF58 HNC

I am writing to you to inform you that your vehicle registration details have been passed to me because your vehicle has been seen illegally parked on the Harbourside at Torquay by Licensing Enforcement Officers. I have been informed that at 23:07 hrs on Friday 29th October 2010, your vehicle was parked in such a way that it was overhanging into the carriage way from the back of the Vaughan Parade Short Rank, this was observed for 3 mins. Please be reminded that you should not be parking illegally at any time and any further breaches of parking regulations is likely to result in you being brought before the Licensing Committee to explain your actions, with the recommendation of suspension of your drivers badge. The road traffic order for the short rank has designated the rank for 3 cars, and although four can probably fit without causing an obstruction, five cannot.

As I am sure you are aware there have been many problems with the parking of taxis around Torquay Harbourside for sometime now and we have reached the point where we can no longer allow this situation to continue. As a result many meetings have taken place between various representatives of the Council, the Taxi Trade and the Police and the result of these meetings is that the taxi trade have asked for a period of sustained enforcement which is now taking place. During this enforcement time registration numbers of illegally parked vehicles are being taken by Licensing Staff, Parking Staff and the Police as well as CCTV. These numbers are being passed to the Licensing Section and if any vehicle is seen to be repeatedly breaching parking regulations then action will be taken against the driver of the offending vehicle.

Please ensure that in the future you park your vehicle legally and in full compliance with all road traffic orders at all times. If you were not the driver of the vehicle at this time please accept my apologies however I do need you to contact me to advise me of who was driving your vehicle at the time this incident took place.

Should you wish to discuss this matter further then please contact me on the above telephone number.

Yours sincerely

Shaun Rackley
Licensing Support Officer
Licensing & Public Protection

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TAXI/PRIVATE HIRE PARKING REPORT FORM

Day:- Friday

Date:- 18th February 2011

CEO No.	VRM No.	TAXI PLATE No (Blue / Red)	TIME SEEN	LOCATION	WHAT WAS BEING OBSTRUCTED	No PHOTOS	COMMENTS (TO INCLUDE ANY DETAILS OF WHETHER ANY OTHER VEHICLE WAS OBSTRUCTED, HOW LONG THEY WERE THERE)
/			22:59	Short rank, The Strand Tongway	See notes	—	Parked in middle of carriage way for 7 min then reversed into oncoming traffic onto rank.
/			23:40	Short rank, The Strand Tongway	Zig zags and crossing	—	Parked on crossing and zig zags for 3 minutes. Short rank was full with 4 cars on.
/	MF58 HNC	HC132	23:43	"	5th car on rank	—	7 mins hanging off back
/			23:43	"	Parked in bus lane, seaward side.	—	in bus bay from 23:43

6

TAXI/PRIVATE HIRE PARKING REPORT FORM

Day:- *Saturday*

Date:- *19th February 2011*

CEO No.	VRM No.	TAXI PLATE No (Blue / Red)	TIME SEEN	LOCATION	WHAT WAS BEING OBSTRUCTED	No PHOTOS	COMMENTS (TO INCLUDE ANY DETAILS OF WHETHER ANY OTHER VEHICLE WAS OBSTRUCTED, HOW LONG THEY WERE THERE)
/	MF58 HNC	HC132	00:22	Bus lane, Seaward side The Strand, Torquay	Back of bus lane	/	Parked on double yellow lines.
/			00:30	"	Back of bus lane	/	Parked on double yellow lines for 3 minutes.
/			00:37	"	Back of bus lane	/	Parked on double yellow lines and moved on by Police.
/			00:37	"	Back of bus lane	/	Parked on double yellow lines and moved on by Police.

Appendix 7

Please reply to: Shaun Rackley

Licensing & Public Protection

Roebuck House, Abbey Road,

Torquay, Devon

TQ2 5EJ

Mr P A Stone
141 Queensway
Chelston
Torquay
TQ2 6BZ

My ref:

Your ref: SRU 160041

Telephone: 01803 208121

Fax: 01803 208854

E-mail: Shaun.rackley@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 4th March 2011

Dear Mr Stone,

Re: Hackney Carriage Number 132 – Registration Number MF58 HNC

I am writing to inform you that your vehicle has been seen illegally parked on the Harbourside at Torquay by Licensing Enforcement Officers. Your vehicle was seen at 23:43 hrs on Friday 18th February 2011 overhanging into the carriage way from the back of the Vaughan Parade Short Rank, this was observed for 7 mins. The road traffic order for this rank has designated the rank for 3 cars, and although four can probably fit without causing an obstruction, five cannot. Your vehicle was again seen at 00:22 hrs on the 19th February 2011 parked illegally on double yellow lines at the back of the bus bay on the seaward side of Torquay Harbour.

As we have reminded you in previous correspondence you should not be parking illegally at any time and you were warned that any further breaches of parking regulations could result in you being brought before the Licensing Committee to explain your actions.

From our records we have recently written to you, (Ref: SAR090465, dated 3rd November 2010) regarding illegal parking on the harbour side on another separate occasion. As a result of this I would now like you to write to me as soon as possible and in no case no later than 7 days from receipt of this letter to explain your actions as to why you think it is acceptable to be carrying on breaking parking regulations. On receipt of this information the Licensing Manger will decide whether to take the matter to Licensing Committee for actioning.

Should you wish to discuss this matter further then please contact me on the above telephone number.

Yours sincerely

Shaun Rackley
Licensing Support Officer
Licensing & Public Protection.

8th MARCH 2011

MR. P. A. STONE

TORBAY COUNCIL	
ELECTORAL DIVISION	
10 MAR 2011	
OFFICER	FILE NO
	500 No

Dear Shaun,

in response to your letter
Ref: SRU 160041. As you can see from
your records I am an experienced driver
with a clean licence and holding a h.C.V.
and P.e.V. without ever having been
charged with any traffic offence since
first owning my licence. Never have I at
any time intentionally or otherwise broke
traffic regulations.

If I fully observed you would see
taxis parked on double yellow lines on
Torwood St., Vaughan Parade as well as
the harbourside ranks due to lack of
rank space. At times it is becoming
increasingly difficult to park on any rank.

Can I just point out the fact of
private vehicles parking on the Torwood
rank at operational times for the night
with the police refusing to move them on
stating it is not their responsibility.

Surely a bit of give and take is not
asking too much.

I am not trying to justify illegal
parking, I am just trying to put a point
on one of the problems we are currently
facing.

Any time I have pulled onto the
back of a rank it is in response to

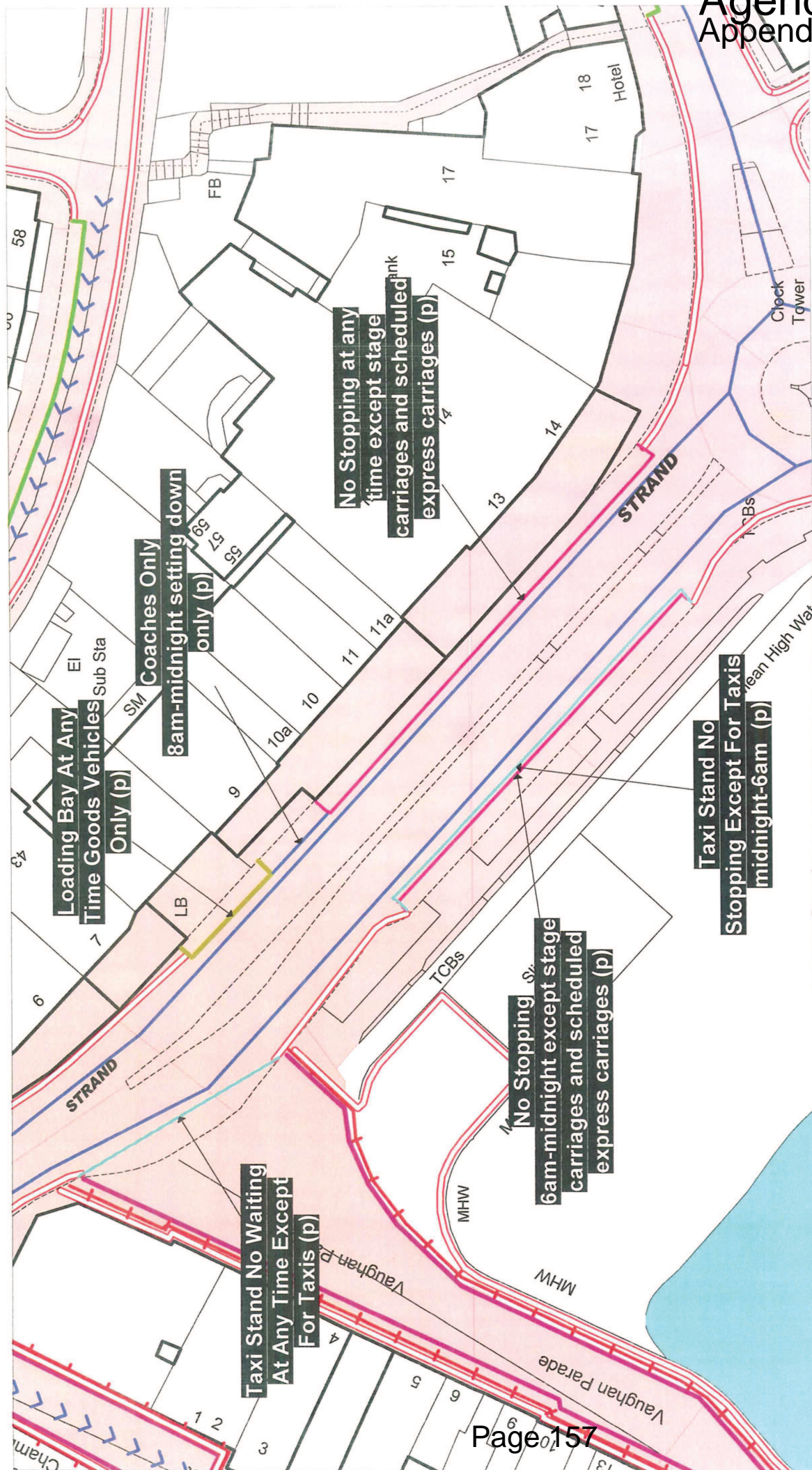
customers getting into the first vehicle and in anticipation of all vehicles then automatically moving up. On any given night of the week this is an occurrence which all drivers participate in. A case of if you are not first you are last!

I am a driver who keeps himself to himself, all other drivers appear aware of when you are going to be there observing otherwise you will see this happening at all times on every day and night of the week.

As you can probably appreciate times are very hard at the moment to earn a very basic living, what with increasing licensing fees, plate rental, company fees etc desperate times!

Having just spent some time in hospital (shadow on lungs) I am very aware of the effect an imposed ban would have on me. I am aware that I probably would not be able to financially recover from a ban so I am pleading for your leniency on this occasion with the promise here in writing that this will never happen again. I sincerely apologise for any inconvenience caused.

Yours Sincerely



c Crown copyright. All rights reserved
Licence No. 2003

The Strand, Torquay

SCALE 1 : 650

DATE 27/01/2010

DRAWING No.

DRAWN BY



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Parking % In Harbour Area										
	No Waiting Taxis at any time	only	Pay & Display 8am-6pm	Coaches Only - 8am - midnight	No Stoppin Loading except bus Bay	Disabled Parking	Powered Two Wheelers	Kerb Length (m)		
Including 'No Waiting'										
Cary Parade (m)	172	42	0	0	54	0	0	268		
Strand (m)	114	29	0	10	112	15	0	280		
Torwood Street (m)	346	0	165	8	14	0	0	533		
Victoria Road (m)	278	38	130	0	0	0	0	446		
Total (m)	910	109	295	18	180	15	0	1527		
% of kerb length	60	7	19	1	12	1	0	100		
Note: After midnight, when the bus bay becomes an extra taxi rank the length increases to 161m, which equates to 11%.										
Excluding 'No Waiting'										
Cary Parade (m)	42	0	0	0	54	0	0	96		
Strand (m)	29	0	0	10	112	15	0	166		
Torwood Street (m)	0	165	8	14	0	0	0	187		
Victoria Road (m)	38	130	0	0	0	0	0	168		
Total (m)	109	295	18	180	15	0	0	617		
% of kerb length	18	48	3	29	2	0	0	100		

Note: After midnight, when the bus bay becomes an extra taxi rank the length increases to 161m, which equates to 26%

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Appendix 11



BYELAWS

made by the

COUNCIL

of the

BOROUGH OF TORBAY

with respect to

**HACKNEY CARRIAGES AND
PRIVATE HIRE VEHICLES**

Agenda Item 7
Appendix 11

14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall when standing or plying for hire and when hired wear that badge in such a position and manner as to be plainly visible.
15. The driver of a hackney carriage so constructed as to carry luggage shall when requested by any person hiring or seeking to hire the carriage:
- Convey a reasonable quantity of luggage;
 - Afford reasonable assistance in loading or unloading;
 - Afford reasonable assistance in removing it to or from the entrance of any house station or place at which he may take up or set down such person.
16. A driver of a motor hackney carriage shall not at any time when driving for hire smoke tobacco or any other like substance except with the consent of the hirer.
17. A proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person and shall immediately thereafter notify the fact to the Medical Officer of Health of the Council.
18. The driver or proprietor of a motor hackney carriage shall take all reasonable precautions to prevent the discharge herefrom in any street or public place of oil or spirit and shall not repair such carriage in any such street or public place so as to cause any such discharge except where such repairs are essential to secure the continued safe functioning of the vehicle and shall not wash such carriage in any street or public place.
19. The driver of a hackney carriage shall during the time that such carriage is standing at one of the stands referred to in these byelaws keep such stand in a clean and tidy condition.
20. The driver of a hackney carriage vehicle shall at all times while standing or plying for hire, have a copy of these Byelaws and shall produce the same for perusal and inspection on request by any person hiring the carriage, or other passenger, or any Authorised Officer of the Council.
21. A proprietor or driver of a hackney carriage shall not, while standing, plying or driving for hire drive or allow to be driven or harnessed to the carriage any animal in such a condition as to expose any person conveyed or being in such carriage or any person traversing any street to risk of injury.
22. The driver of a hackney carriage drawn by any animal or animals shall while standing plying or driving for hire cause every part of the harness of the animal or animals drawing the carriage to be kept in order so that the animal or animals shall be properly and securely attached to the carriage and under due control.

5

8. The driver of a hackney carriage of a description for which stands are fixed by any byelaw in that behalf shall when plying for hire in any street and not actually hired:
- Proceed with reasonable speed to and station the carriage on one of such stands or the stands provided at Torquay Paignton or Torre Stations if authorised by the Railway Authorities to use such stands;
 - If a stand at the time of his arrival is occupied by the full number of carriages authorised to occupy it proceed to another stand;
 - On arriving at a stand not already occupied by the full number of carriages authorised to occupy it station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - From time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward;
 - If his carriage is the first or second carriage on the stand remain with the carriage ready to be hired at once.
9. A proprietor or driver of a hackney carriage when standing or plying for hire shall not be calling out or otherwise importune any person to hire such carriage and shall not make use of the services of any person for the purpose.
10. Every proprietor or driver of a hackney carriage shall at all times when standing plying or driving for hire, conduct himself in a civil and orderly manner be clean and respectable in his dress and shall act with civility towards every person seeking to hire such carriage and shall comply with every reasonable requirement of any person hiring such carriage and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall unless delayed or prevented by some sufficient cause punctually attend with such carriage at such appointed time and place.
12. The driver of a hackney carriage when hired to drive to any particular destination shall subject to any directions given by the hirer proceed to that destination by the shortest available route.
13. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage. For the purposes of this byelaw, two children between the ages of three and ten years shall be regarded as one person but no more than six such children may be conveyed in a hackney carriage at any one time. A child under the age of three years shall not be reckoned.

4



Report No: **92/2011** Public Agenda Item: **Yes**

Title: **Suspension of Hackney Carriage Driver's Licence – Mr Dariush Zarezadeh**

Wards Affected: **All**

To: **Licensing Sub-Committee** On: **21 April 2011**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

Contact Officer: **Steve Cox**
Telephone: **01803 208034**
E.mail: Steve.cox@torbay.gov.uk

1. What we are trying to achieve

- 1.1 This report concerns a Hackney Carriage Driver who despite several warnings has failed to comply with the Road Traffic Orders and Byelaws of Torbay Council whilst going about his business.

2. Recommendation(s) for decision

- 2.1 It is recommend that:

1. Mr Dariush Zarezadeh's Hackney Carriage Driver's Licence be suspended for 7 days.

3. Key points and reasons for recommendations

- 3.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- 3.2 Section 61 Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority the power to suspend or revoke a Hackney Carriage Driver's Licence for 'any other reasonable cause'.
- 3.3 This report concerns Hackney Carriage Drivers queuing and parking in areas in Torbay covered by Road Traffic Orders, as well as causing an obstruction to other road users. This has resulted in complaints from The Police, other road users and members of the public, as well as the general concerns Officers have about safety. This is particularly prevalent on Torquay harbour side but applies elsewhere too.

- 3.4 Although a number of different measures had been tried and three letters sent to all Hackney Carriage Drivers during 2009, problems were not resolved. In an attempt to address this, the Officer working party, with attendees from Parking Enforcement, Highways, Licensing, Transportation and the Police met again. It was decided at this meeting to threaten to move the Taxi's ranks from The Strand, onto Torwood Street. This raised significant concerns so officer attended a meeting with taxi drivers. The outcome of that meeting is that a trial was implemented to see if the Hackney Carriage drivers would comply with the road Traffic Orders. To help this significant enforcement took place as well. A letter was sent to all Hackney Carriage Drivers advising them of the trial and the enforcement that would take place both on the harbourside and elsewhere, see Appendix 3.
- 3.5 Despite these letters of which all were sent to Mr Zarezadeh at 10.37 on 18th October 2010 and again at 14.30 on 22 October 2010, a Parking Enforcement Officer witnessed Hackney Carriage Licence number HC 102, registration number WF57 ZUA, parked illegally on double yellow lines outside Natwest Bank, Union Street, Torquay. Mr Zarezadeh was subsequently sent a warning letter dated 28 October 2010 about these incidents.
- 3.6 At 0037 on the 19th February 2011, a Licensing Support Officer witnessed Hackney Carriage HC102, registration number WF57 ZUA, illegally parked on double yellow lines at the rear of the bus lane on the seaward side of Torquay Harbour. At the time in question a police van on an emergency call, came around the clock tower roundabout and had to move the vehicle on by the use of its sirens, as it was causing an obstruction in the highway. A letter was sent to Mr Zarezadeh regarding this incident on the 4 March 2011 and requesting an explanation.
- 3.7 The above incidents are in contravention of both the Road Traffic Order and Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles Byelaws.

For more detailed information on this proposal please refer to the Supporting Information.

Frances Hughes Executive Head Community Safety

Supporting information to Report 92/2011

A1. Introduction and history

- A1.1 By the provisions of the Local Government (Miscellaneous Provisions) Act 1976, Torbay Council is the Licensing Authority in respect of Hackney Carriages, Private Hire Vehicles and their drivers within Torbay.
- A1.2 Section 61 Local Government (Miscellaneous Provisions) Act 1976 gives the Local Authority the power to suspend or revoked a Hackney Carriage Driver's Licence for 'any other reasonable cause'.
- A1.3 This report concerns Hackney Carriage Drivers queuing and parking in areas in Torbay covered by Road Traffic Orders, as well as causing an obstruction to other road users. This has resulted in complaints from The Police, other road users and members of the public, as well as the general concerns Officers have about safety. See Appendix 1. This is particularly prevalent on Torquay harbour side but applies elsewhere too.
- A1.4 This biggest area for complaints and the concerns of Officers is around the bus bays and taxi ranks on The Strand and on The Clocktower roundabout, as well as the GPO roundabout. Officers' concerns relate to the risk to pedestrians crossing the road, or alighting from buses, where they are away from the kerbside and being hit by a moving vehicle. There are also significant concerns about taxis obstructing the highway particularly at the exit to the roundabout and being a danger to other road users. There have been 13 road traffic accidents in the past 13 months up to December 2010 on the harbourside alone, though not all related to taxis. Torbay Council as the Licensing, Highways and Parking Enforcement Authority needs to exercise a duty of care in these matters, as informal attempts to resolve the issue have been unsuccessful.
- A1.5 Although a number of different measures had been tried and three letters sent to all Hackney Carriage Drivers during 2009 (see Appendix 2), problems were not resolved and this resulted in a number of Drivers having their Drivers Licences suspended.
- A1.6 In a further attempt to address this, an Officer working party, with attendees from Parking Enforcement, Highways, Licensing, Transportation and the Police, met. It was decided at this meeting to threaten to move the Taxi's ranks from The Strand, onto Torwood Street. This was put to representatives of the Hackney Carriage Drivers in early August 2010. They raised significant concerns therefore Officers were invited to attend a meeting of the Taxi Trade Association.
- A1.7 The outcome of that meeting is that a trial was implemented to see if the Hackney Carriage drivers would comply with the road Traffic Orders. To help this significant enforcement took place as well. A letter was sent to all Hackney Carriage Drivers advising them of the trial and the enforcement that would take place both on the harbourside and elsewhere, see Appendix 3. Overall this approached worked well, though since the end of the trial and the reduction in enforcement some drivers have returned to being less compliant. However it is important to note the majority still comply and at this time it has been felt that to move the ranks would disadvantage those, although it still remains an option.

- A1.8 What follows are the failures of Mr Zarezadeh to comply with Road Traffic Orders both in Torquay Town Centre and on the harbourside.
- A1.9 At 10.37 on 18th October 2010 and again at 14.30 on 22 October 2010, a Parking Enforcement Officer witnessed Hackney Carriage Licence number HC 102, registration number WF57 ZUA, parked illegally on double yellow lines outside Natwest Bank, Union Street, Torquay. See Appendix 4. Mr Zarezadeh was subsequently sent a written warning letter dated 28 October 2010 about these incidents. See Appendix 5.
- A1.10 At 0037 on the 19th February 2011, a Licensing Support Officer witnessed Hackney Carriage HC102, registration number WF57 ZUA, illegally parked on double yellow lines at the rear of the bus lane on the seaward side of Torquay Harbour. At the time in question a police van on an emergency call, came around the clock tower roundabout and had to move the vehicle on by the use of its sirens, as it was causing an obstruction in the highway. See Appendix 6. A letter was sent to Mr Zarezadeh regarding this incident on the 4 March 2011 regarding and requesting an explanation. See Appendix 7.
- A1.11 The above incidents are in contravention of both the Road Traffic Order and Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles Byelaws.
- A1.12 Mr Zarezadeh responded to the letter dated 4 March 2011 by a letter dated 10 March 2011. See Appendix 8. In this letter Mr Zarezadeh has written that he pulled over to allow a Police vehicle, which had its lights and sirens on, to pass. However, a statement from the Environmental Health Manager states that this was not the case and that the vehicle was already illegally parked. See Appendix 12.
- A1.13 Attached is a map of the location, giving the Road Traffic requirements that apply to the harbourside. See Appendix 9.
- A1.14 It should be noted that the harbourside is a very busy area with many competing interests. One argument put forward by some drivers is that there is insufficient space for taxis. There is no requirement in law for Torbay Council to provide Taxi Ranks; however the Council does provide space as Taxis provide an important part of an integrated transport strategy, helping to address late night economy issues. The taxi ranks are reviewed regularly as part of the Council's unmet demand study for Hackney Carriages. If 'no waiting areas' are excluded, Taxi ranks make up 18% of the space before midnight and 26% after midnight. This does not at this time include the new rank outside The Clocktower public house. See Appendix 10.
- A1.15 A copy of Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles Byelaws is attached at Appendix 11.
- A1.16 It is recommended that Mr Zarezadeh's Hackney Carriage Drivers Licence be suspended for 7 days.
- A1.17 There is a right of Appeal. Any Appeal would be to the Magistrates' Court within 21 days from the date of a Notice being sent out following the decision.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

A2.1.1 There are no significant risks if the recommendation is agreed. The potential risks to other road users and pedestrians would be reduced by agreeing the recommendation. However, there is the potential for an Appeal to the Magistrates' Court which may incur a financial cost.

A2.1.2 If the recommendation is not followed, then the risk may be greater in the long term, as the issue of ignoring the Road Traffic Orders and Byelaw may continue with the potential for further road traffic accidents or worse.

A3. Options

A3.1 The options are:

- (i) to grant the suspension
- (ii) to refuse the suspension
- (iii) to suspend for a different period of time
- (iv) to revoke the licence

A4. Summary of resource implications

A4.1 There are resource implications if there is an Appeal to the Magistrates' Court against the suspension.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

A5.1 There are no impacts upon equalities and environmental sustainability. There are potential crime and disorder issues associated with obstruction of the highway, but this approach should address those.

A6. Consultation and Customer Focus

A6.1 There has been no public consultation on this matter, although the drivers are aware of the issues both from their Taxi handbook, from the letters they have received and from a Taxi Trade Association meeting.

A7. Are there any implications for other Business Units?

A7.1 There are no implications for other business units.

Annexes

Appendix 1 Letter from Richard Brown Parking Operations Officer dated 28th January 2010

Email from the Police dated 4th Feb 2010

Briefing note from Lesley Dransfield dated 27th January 2010 and from Christine Ratcliffe Operations Manager at Stage Coach dated 28th January

2010.

- Appendix 2 Letter to All Hackney Carriage Drivers dated 16th January 2009
Letter to All Hackney Carriage Drivers dated 3rd April 2009
Letter to All Hackney Carriage Drivers dated 4th December 2009
- Appendix 3 Letter to All Hackney Carriage Drivers dated 31st August 2010
- Appendix 4 Enforcement sheet for 18th October 2010 and 2 photographs
- Appendix 5 Letter dated 28th October 2010 to Mr Zarezadeh
- Appendix 6 Enforcement sheet for 19th February 2011
- Appendix 7 Letter dated 4th march 2011 to Mr Zarezadeh
- Appendix 8 Letter from Mr Zarezadeh dated 10th March 2011
- Appendix 9 Plan of Road Traffic Orders in place on Torquay harbour side
- Appendix 10 Spreadsheet showing the percentage of Taxi Rank space on the harbour side
- Appendix 11 A copy of Byelaw 8 of Torbay Council's Hackney Carriages and Private Hire Vehicles
- Appendix 12 Statement of Stephen Cox regarding the incident at 0037 on the morning of the 19th February 2011

Documents available in members' rooms

None

Background Papers:

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

None

Appendix 1

Steve Cox
Principle Licensing Officer
Torbay Council

Please reply to: Richard Brown

Parking Operations Officer

Torbay Council

P O Box 422

Torquay, TQ2 5WU

My ref: RB/DW/Taxi

Your ref:

Telephone: 01803 207674

Fax: 01803 614302

E-mail: Richard.brown@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 28 January 2010

Dear Steve

Illegal Parking by Taxis in Torbay

For the past three years we have seen escalating problems with taxis parking illegally in Torbay. In particular in Torquay in Union Street, GPO Roundabout and within the Harbour side area during the evenings.

We have received a high volume of complaints over the years in particular from Stagecoach where taxis park in bus stops preventing buses alighting passengers safely, from bus users and members of the public who feel taxis are permitted to park illegally and not suffer the consequences. In general the illegal parking on double yellow lines, bus stops etc are causing congestion in busy town centre areas and road safety issues.

The problems we experience in enforcing the illegal parking is that the drivers are present with their taxis at all times and when we approach them in regard to enforcing the illegal parking they simply drive off to avoid enforcement. Our legal procedures dictate presently that the Penalty Charge Notice (PCN) has to be physically attached to the vehicle or handed to the driver and the taxis know this procedure well and will exit the location to avoid the issue of the PCN. This is very frustrating but we are putting in new plans under new legislation to ensure that the PCN is issued immediately and then it does not have to be affixed to the vehicle or handed to the driver and will be posted to the registered keeper, this we feel will improve enforcement in these circumstances.

We have undertaken increased patrols to deal with the taxi parking problem and even had enforcement staff working to Midnight on quite a few weekends on Torquay Harbour side but alas no PCNs were issued as taxis kept driving round in circles to get on the ranks to avoid the issue of a PCN. Our staff in trying to enforce these vehicle have also been the subject of threats and abuse by a number of drivers.

The problems appear to be much worse during the recent economic climate because there are too many taxis chasing too few fairs and therefore the ranks in particular in Torquay are overflowing with taxis. We would greatly appreciate any assistance you could provide us in holding the relevant taxis to account when seen to be parking illegally or abuse our staff, perhaps through the Committee route and suspend licences.

Your assistance in this matter would be most appreciated.

Yours sincerely

Richard Brown
Parking Operations Officer

Steve Cox
Principal Safety and Licensing Officer
Torbay Council, Roebuck House
Abbey Road, Torquay
TQ2 5EJ

PC 864 Moorhouse
NET/PACT TEAM
Torquay Police Station
South Street

04/02/2010

08452 777444

RE: Taxi Drivers on the Harbour Side

Dear Steve,

The intention of this letter is to clarify events of the last 9 months on The Strand involving Taxi Drivers and the issues being caused by them.

Over the last 9 months several problems have been caused and despite our joint efforts (and this includes Police, Council and NCP) the problems have continued and got worse. As you are aware a lot of work has gone in over this issue over the past few months (Inc the Night Time Economy Team) along with yourself and colleagues of yours from the council.

The main issues are with Hackney Carriage drivers. These primarily are constantly parking on the Debenhams side of The Strand, on the roundabout around the clocktower and parking on the exit of the roundabout where they are queuing to get on the bus stop on the harbour side of The Strand. The parking on the roundabout has already caused an accident in the latter part of last year involving a single decker bus which I am aware you know about. However there have been several incidents which have not been reported which have been very near misses. One was on Saturday night as I was issuing a ticket to a Taxi Driver who was parked causing an obstruction, when a double decker number 12 came around the roundabout and was confronted with a stationary taxi stopped in the same place. He slammed on his brakes and skidded on the wet ground missing the Taxi by cm. I am sure there will have been upset passengers, not to mention the driver. The taxi then sped off and unfortunately I did not see who it was.

With reference to parking on the Debenhams side of The Strand, the issue with this is there is nowhere for the buses to pull in causing them to have to block the road to set down passengers and then the passengers having to walk through parked cars to get to the safety of the pavement, which is completely unacceptable. After midnight when the busses stop, the problem is that there is nowhere for other taxis and members of the public to drop off or pick up, often drunk people again, causing the issues just described. Keeping that side of The Strand clear is also important just because often people who are drunk stagger into the road and the extra space can stop serious accidents. The fear is that a fatal RTC is only a matter of time away unless action is taken now.

I have also noticed that the number of Taxis on The Strand is increasing. I am not sure why, maybe more are just choosing to come to Torquay but there is definitely an increase. At one point over the weekend we had a line (parked every and anywhere they could) and I counted 41 Hackney Carriages, which I fear at the time was more than the number of people on The Strand. Also I have serious concerns about the rumours of de-regulation and the issues that it will bring. I spoke to a taxi driver who worked in Swansea when they did it and he said it was carnage, to the point it was reverted after 3 months. I would like to speak to you about this in more detail.

As you are aware I arranged with the drivers in consultation with you that they can use the first part of the bus stop from 21:00hrs in a bid to show that give and take is the best way to proceed.

However since that has been imposed our problem with drivers parking on the roundabout and blocking the exit has only started at 21:00hrs instead of 00:00hrs. Therefore as it was arranged that it would stay whilst it was used sensibly I recommend that this be removed with immediate effect. This is to ensure the continued safety of pedestrians and road users alike. I will have no issue with explaining to the drivers why that privilege has been removed.

I know that the council face difficulties as we do in dealing with this issue, but I must stress that something must be done. I know that space is limited and that there are too many Taxi's using Torquay at the moment. In response to this I have had an idea which involves closing the Vaughn Parade Taxi rank and utilising other currently unused space which will increase the number of Taxis able to fit on a rank. I promise that it is not as crazy as it sounds however it will be easier to discuss with you in person.

I look forward to your reply and please do not hesitate to contact me via email should you need to do so. Also I have emailed you reference meeting up with you in Paignton.

Yours Sincerely,

PC 864 Anthony Moorhouse
P.A.C.T Traffic SPOC
Torbay P.A.C.T Team / Night-Time Economy Team
Devon BCU
TEL : - 41520 / 41424
EMAIL TORBAY P.A.C.T DIRECT

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BRIEFING PAPER

TAXI PARKING STRAND, TORQUAY

Since July 2006 the local Bus Company has encountered numerous complaints from drivers stating that they have been experiencing problems mainly on Friday and Saturday evenings with Taxi's taking over the bus bays on the Strand. When this problem occurs the buses cannot get in close to the kerb to load or unload passengers this causes an issue with passengers having to alight in the middle of the road. Also, those with disabilities who find it difficult to get off the bus because it is not adjacent to the kerb cannot alight at their stop.

On one occasion a bus driver noted a number of taxis causing problems on a particular night and one Taxi driver was particularly offensive to him.

Torbay Council has regular meetings with the bus companies and this issue is constantly being raised. Whilst signing and Traffic Orders are in place to prevent vehicles from waiting in the bus bays the problem has continued and bus drivers are becoming very despondent because no one seems to be addressing the issue.

The operation Managers for Stagecoach Bus Company have previously sent in a number of reports over the years completed by their drivers highlighting the taxi drivers causing the offences. These have been passed on to our Licensing Department requesting action be taken against the drivers.

The Licensing Department have informed Highways that many taxi drivers have been spoken with and reminded that it is an offence to park/wait within the Bus Bays however they do not have the power to take away a Drivers Licence and this is a matter for the Licensing Committee.

This is a very frustrating situation for the Council, as the Public Transport Team work to encourage and promote the use of Public Transport throughout the area. This in turn reduces congestion and carbon emissions and ensures buses can access the stops promoting the use for disabled and those with restricted mobility. However if the Bus Companies cannot access their specific bus bays for loading and unloading this discourages customers from using this form of transport.

The Taxi Parking issue has been ongoing for nearly four years since it was originally brought to the Council's attention.

Lesley Dransfield
Public Transport Officer

27th January 2010

Lesley Dransfield
Highways & Engineering
4th Floor Roebuck House
Abbey Road
Torquay
TQ2 5TF

28th January 2010

Dear Lesley,

I write to confirm the ongoing problems with taxis parking at the Strand bus stops.

This issue has been ongoing for the full duration of my time in post as Operations Manager since September 2007. However, I am aware that the previous manager raised this problem as early as 2006.

The main concern from my perspective is one of safety. If my vehicles cannot properly access their designated stopping places they are forced to disembark passengers in the middle of the road. This not only blocks the road for other road users but puts my passengers at risk.

Being unable to pull into the curb at a bus stop increases the potential of passengers falling on to or out of the bus and sustaining physical injuries. It also adds the risk of cyclists colliding with passengers on the nearside of the vehicle, which is a hazard that would otherwise not have been present.

I might add that the vast majority of my passengers are over the age of 60 and therefore many struggle with mobility issues. The step height from the bus to the curb is much lower than that directly onto the road; this in itself can cause physical injury and pain to some passengers.

The act of a taxi simply blocking a bus stop can therefore cause untold damage and is a deterrent to my passengers using my services in future.

We work in partnership with Torbay Council and hope to reach a resolution to this issue as soon as possible.

If you require any further information please do not hesitate to contact me.

Yours Sincerely,

Christina Ratcliffe
Operations Manager -Torbay
Stagecoach South West

Mr Richard McAllister
Operations Manager Torbay
Stagecoach Devon
Regent Close
Shiphay
Torquay
Devon TQ2 7AN

Please reply to: Lesley Dransfield
Highways & Engineering
4th Floor Roebuck House
Abbey Road
Torquay, TQ2 5TF
My ref: LD/SH/30/4/3
Your ref:
Telephone: 01803 207687
Fax: 01803 207670
E-mail: Highways@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 09 February 2007

Dear Richard

Operational Issues – Stagecoach Routes

I am writing to update you regarding various issues you have raised concerning Stagecoach operations throughout Torbay and would ask you to pass the following information onto your staff.

Please note the following progress, which has been made to date:

6. Taxis Parking on the Strand Bus Stops

Following our regular meeting it would appear this matter has not been resolved. Agreed action - The Road Safety Officer along with yourself carried out a site visit on Saturday evening to understand the problems first hand of what the drivers are experiencing. The Road Safety Officer to bring this matter to the attention of the Devon & Cornwall Police at her regular meeting with Officers. Geoff Coleman to liaise closely with Licensing to establish a way forward.

Mr Richard McAllister
Operations Manager Torbay
Stagecoach Devon
Regent Close
Shiphay
Torquay
Devon TQ2 7AN

Please reply to: Lesley Dransfield
Highways & Engineering
4th Floor Roebuck House
Abbey Road
Torquay, TQ2 5TF
My ref: LD/SH/30/4/3
Your ref:
Telephone: 01803 207687
Fax: 01803 207670
E-mail: Lesley.Dransfield@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 04 July 2006

Dear Richard

Operational Issues – Stagecoach Routes

I am writing to update you regarding various issues you have raised concerning Stagecoach operations throughout Torbay and would ask you to pass the following information onto your staff.

Please note the following progress, which has been made to date:

5. Taxis Parking on the Strand Bus Stops

The drivers report regarding taxis parking the entire length of the bus lanes during the late shifts on Saturday nights has been passed onto my colleague Geoff Coleman to deal with at his request.

Appendix 2

Please reply to: Steve Cox,
Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ
My ref: SJC/SJC/0617353

Your ref:

To Hackney Carriage Drivers

Telephone: 01803 208126

Fax: 01803 208854

E-mail: Licensing@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 16th January 2009

Dear

Re: Torquay Harbourside & The Strand Taxi rank and Bus Bay

I am writing to you to advise you on the work being undertaken by Torbay Council and the Police to try and resolve issues that are arising in the use of The Strand, its taxi rank, the adjacent bus bay and the roundabout. During 2008 there have been a number of complaints about this area, mainly about drivers using areas not designated as taxi ranks. I have been tasked to try and find a solution to this problem. It is my view that a compromise is needed because there simply isn't enough space for all the demands made upon this area.

Torbay Council is also working with representatives of the Taxi Association to try and help find a solution.

I think it is important in the first instance to remind you that the only places drivers can queue for fares at this time are the three ranks, on Victoria Parade, on The Strand and on Cary Parade. Though waiting has been tolerated at times on the Bus Bay, it is must clear that the road traffic orders in place prohibit this.

Torbay Council has taken the view that it would be helpful to change the bus bay after midnight on the harbour side of The Strand; however it has to seek approval from the Department of Transport for this change. It has approached them about the change to the existing order and they have agreed with our submission that after midnight the Bus bay on the harbour side can become a taxi rank. This will still need to go through the proper channels of advertising etc, but we are hopeful that this can be agreed by mid March.

Until mid March there is no right to use this bus bay before or after midnight, and should you be approached and asked to move on, or even receive a fixed penalty notice, for doing so, I will expect you to comply. Should any driver make threats or anything similar against Torbay Council personnel or their contractors as some have done, they can expect to be brought before the Licensing Committee with the threat of their driver's licence being suspended. This also applies to any arguments with bus drivers, as they too have been warned and in two cases action has been taken against their drivers.

The same applies to the roundabout, where drivers have been queuing on it. This is simply not acceptable and is not only causing an obstruction but is simply dangerous. Ticketing is now taking

Schools and services for children and young people • social care and housing • recycling, waste disposal and clean streets • community safety • roads and transportation • town planning • tourism, harbours and economic regeneration • consumer protection and licensing • leisure, museums, libraries and arts

If you require this in a different format or language, please contact me.

place in that area, as several drivers have discovered.

Finally, at the start of this letter I said Torbay Council is working with the Taxi Association, and through them we hoped to identify some other potential locations for new ranks. It may be that we are not successful, but we do understand times are hard and if we can help we will. The process is slow and there will be other interests regarding any location, who will have a right to raise their concerns, but if we feel the location is right, I will add my support behind any report to Licensing Committee.

In due course I will write again to confirm any changes we have been able to achieve.

If you have any queries then please ring Craig Noble or myself.

Yours sincerely

Steve Cox
Principal Safety & Licensing Officer
Environmental Health & Consumer Protection

Please reply to: Steve Cox,
Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ
My ref: SJC/SJC/0617353

Your ref:

To Hackney Carriage Drivers

Telephone: 01803 208126

Fax: 01803 208854

E-mail: Licensing@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 3rd April 2009

Dear

Re: Torquay Harbourside & The Strand Taxi rank and Bus Bay

I am writing to you and all other Hackney Carriage drivers to update you on the current situation with respect to taxi ranks and bus bays on the harbourside. The new rank, which is the bus bay on the harbourside of The Strand is now in place, for use after midnight. Stagecoach has agreed to move their final summer buses to the Debenham's side of The Strand to help facilitate this.

Unfortunately Hackney Carriage driver's have taken to using the Debenham's side of The Strand as well, for queuing. This is creating a similar problem that we were trying to resolve on the seaward side, that buses and other vehicles that are using that area legally, are potentially dropping passengers off away from the curb side. This is also happening at the GPO roundabout on the top of Fleet Walk by Tesco's. This could lead to a serious road incident, with potential injury or worse. There have already been a couple of near misses. I am sure this is not something you would wish to see and as a representative of Torbay Council I simply cannot allow to occur.

I must therefore insist that you do not use these areas, notably the bus bays on either side of The Strand and at the old GPO roundabout, by Tesco's. In the case of the seaward side of The Strand, this is just before midnight. This will also apply to any other areas which may cause obstruction of the highway or where there are Road Traffic Orders in place. If anybody is caught using them then they run the risk that action being taken against them, by way of fixed penalty notice or being brought before Licensing Committee.

I am sure this will be seen by many as unreasonable, but you must understand that waiting in these areas is not in compliance with the Road Traffic Orders, which are there to give everybody a share in the road space available, and as I said in my previous letter, there isn't sufficient space for all the competing interests.

Torbay Council is continuing to try and find further alternative spaces, to add to the 31 available after midnight on the harbourside. There are consultations taking place in several areas, following a meeting with the Taxi Association. I will give support to these and work on your behalf to try and secure more rank space, but I cannot promise anything at this time, as at least one location will also require Department of Transport approval, which will take time.

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If you require this in a different format or language, please contact me.

In due course I will write again to confirm any changes we have been able to achieve, but meanwhile be warned that enforcement action will commence before Easter.

If you have any queries then please ring Craig Noble, Shaun Rackley or myself.

Yours sincerely

Steve Cox
Principal Safety & Licensing Officer
Environmental Health & Consumer Protection

Please reply to: Steve Cox
Safety & Licensing Team
Roebuck House, Abbey Road,
Torquay, Devon
TQ2 5EJ

To All Hackney Carriage Drivers

My ref: SJC/BRE/0618190
Your ref:
Telephone: 01803 208126
Fax: 01803 208854
E-mail: Licensing@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 4th December 2009

Dear

Re: Torbay Harbourside & The Strand Taxi rank and Bus bay

I am writing to you and all other Hackney Carriage Drivers to clarify the article in the Herald Express on Monday 23rd November, which you may have read. Torbay Council and Devon and Cornwall Police have been in discussions over the last 12 months to find solutions to a number of issues regarding the non-observation of Road Traffic Orders by some Hackney Carriage Drivers. This applies to all areas of Torbay, but especially on the harbourside.

In January and April 2009 I wrote to all drivers about what is expected in terms of where they queue or park up, but unfortunately many drivers have ignored my advice. This was re-enforced by the use of staff from NCP to ask drivers not to use certain areas, but again many drivers have since ignored this. These staff, who are doing our work, have often received abuse, which is totally unacceptable. This was only from a minority of drivers and these are being dealt with.

In light of drivers ignoring advice, new technology is being investigated and adopted to mean that drivers may receive fixed penalty notices without the need of any ticket being affixed to a vehicle. In the meantime evidence is being collected by Officers of Torbay Council, NCP staff and the Police of non-compliance with Road Traffic Orders. If you are generally compliant with Road Traffic Orders then you have nothing to concern yourselves about. But should you be witnessed queuing or parking in non-authorised areas you will be brought before Licensing Committee with the risk of having your drivers badge suspended. I take no pleasure in issuing this warning but due to a significant minority ignoring previous requests it has left me with no option. So you must take this as a final warning.

So why are we doing this? Firstly to ensure all road users have their fair share of the limited space. This is particularly true of Torquay harbourside, but this equally applies elsewhere on the harbourside and in Torbay generally. Before midnight taxis have 18% of allocated space on the harbourside. After midnight it is 26%. The second reason is to avoid accidents due to incorrectly queuing or parked vehicles.

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If you require this in a different format or language, please contact me.

What else are we trying to do?

Discussions continue between various departments and the Police to find solutions and consultation has taken place on a section of road on Torwood Street in recent months, but unfortunately again the objections are too strong to change the present designation. Due to this we are prepared to allow 'unofficially' that the rear of the Strand bus stop 4 spaces to be used between 9pm and midnight. This is not a permanent situation because the development of further bus routes is one of the objectives of Torbay Council and the space may be needed in the future. However it may help us all get through the recession to better times.

There are also other considerations in the pipeline, but these would be linked to harbourside developments, so are not likely to arise in the near future. However we will continue to consider any options that are presented to us.

So as one final reminder, comply with the Road Traffic Orders or run the risk of having your drivers badge suspended, or worse.

Yours sincerely

Steve Cox
Principal Safety and Licensing Officer
Safety and Licensing Section

Appendix 3

Please reply to: Steve Cox,
Principal Safety & Licensing Officer, Licensing
Section, Roebuck House, Torquay. TQ2 5EJ

My ref: SJC/SJC/0618806

Your ref:

To ALL HC Drivers

Telephone: 01803 208126

Fax: 01803 208854

E-mail: Licensing@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 31st August 2010

Dear

Re: Hackney Carriage Drivers

I am writing to you following a meeting of the Torbay Taxi Association dated 17th August 2010, which I attended along with two colleagues from Devon and Cornwall Constabulary. The purpose of the meeting was to discuss a proposal by Torbay Council and Devon and Cornwall Constabulary to remove the Vaughan Parade and The Strand Bus Stop ranks and to replace them with new temporary ranks on Torwood Street.

This was met with complete opposition, due a number of reasons. Some of those reasons had validity but maybe some less so. The vast majority present preferred an option of hard enforcement to address the concerns of public safety, so targeting those who refuse to take responsibility for their actions. Since that meeting Officers at Torbay Council have met with their Police colleagues to review our response.

I am writing to all Hackney Carriage Drivers and Plate holders to confirm that response and to offer a compromise to these concerns. The first is that the Vaughan Parade rank will remain in use during the working day (between 6am to 6pm), so those drivers that rely upon it can continue to do so.

We are also offering to retain the Vaughan Parade rank during the evening and night (between 6pm to 6am) and The Strand Bus Bay rank (harbour side of The Strand between midnight and 6am), for a trial period of two months. However, this does **NOT** include The Strand Bus Bay (harbour side) between 9pm and midnight, which has been allowed 'unofficially' to be used as a rank.

If after a trial period of 2 months the problems continue, then these provisions will be withdrawn. The two months will commence from 6pm on 17th September 2010.

Finally a temporary rank will be installed outside The Clocktower pub, on Torwood Street in Torquay on Friday and Saturday evenings 6pm to 6am, as a means of trying to ease the situation though it may not be in place by the 17th September 2010, though I am hoping it will be.

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If you require this in a different format or language, please contact me.

The problems I make reference to above, include the queuing on the Clock Tower roundabout, or the driving around it numerous times which results in traffic being blocked, or any queuing in unauthorised bus bays or where there are Road Traffic Orders. The removal of the 9pm to midnight 'unofficial' use of the rear of The Strand (harbourside) is due to significant concerns that have arisen recently with drivers queuing on the Clock Tower roundabout, and buses using the roundabout. This has been made more difficult recently due to the hoardings that surround the Clock Tower meaning buses do not have a good line of sight. This was only ever agreed originally providing drivers policed it and did not queue on to the roundabout. However, this has not been the case and as such, this provision is now withdrawn

Although Torbay Council and the Police will endeavour to enforce during the specified trial period, the ultimate responsibility is for ALL drivers to ensure that the trial is a success. The responsibility is therefore partially yours if you work in this area at night. If you do work on Torquay harbourside at night and you want to keep these ranks then obey the Road Traffic Orders and help ensure that others do too.

Earlier this year Torbay Council used its Licensing Committee to support the work of the Police and the Parking Enforcement Team and a number of drivers were suspended for 7 days. So can you please take this as a warning as any driver who is caught parking or queuing in areas with Road Traffic Orders, runs the risk of having their drivers licence suspended. Although our enforcement will be concentrating initially on the harbourside, this will apply elsewhere too.

If you have any enquiries then please do not hesitate to contact Craig Noble, Shaun Rackley or myself.

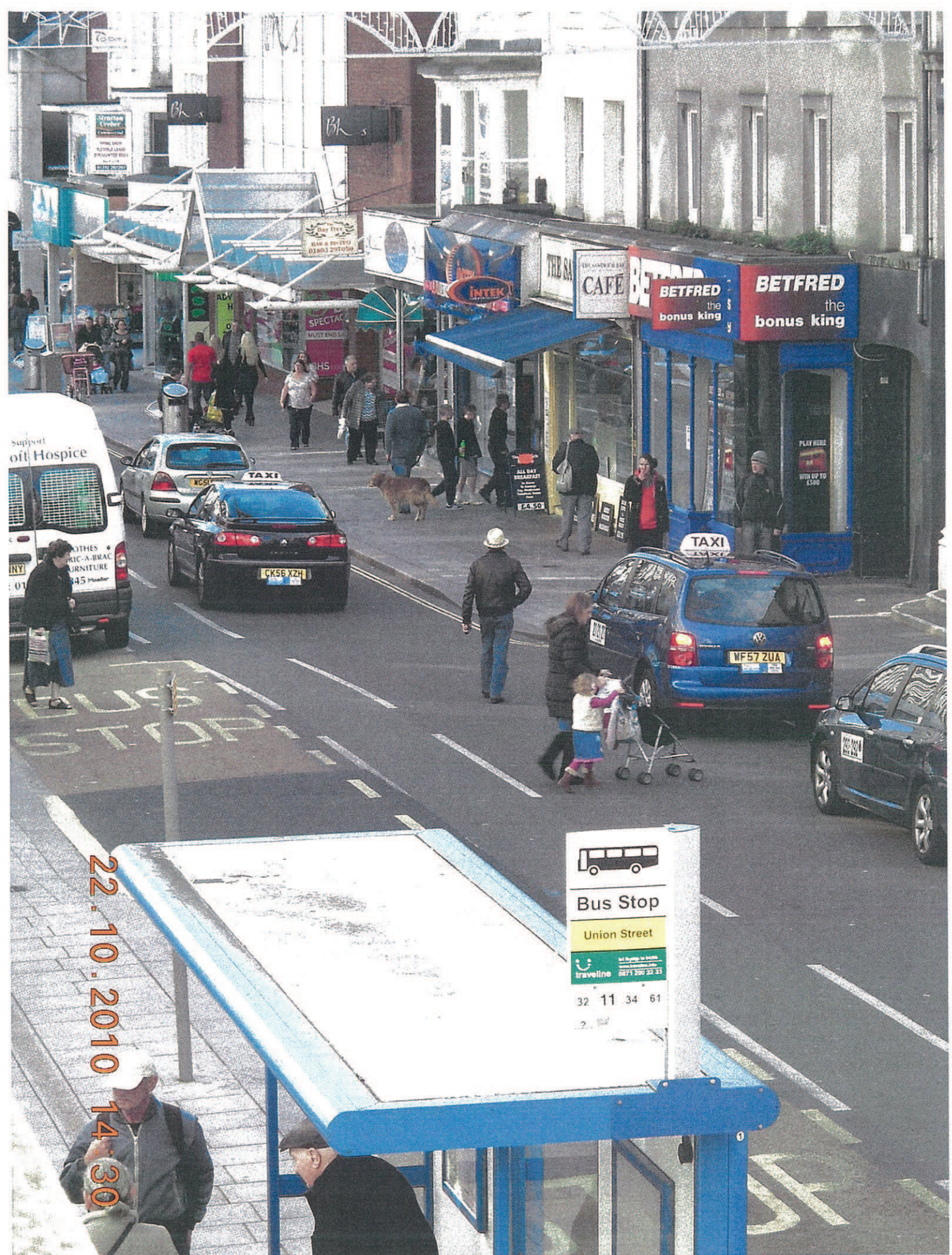
Yours sincerely

Steve Cox
Environmental Health Manager (Commercial)
Community Safety

TAXI/PRIVATE HIRE PARKING REPORT FORM

CEO No.	VRM No.	TAXI PLATE No (Blue / Red)	TIME SEEN	DATE	LOCATION	WHAT WAS BEING OBSTRUCTED	No PHOTOS	COMMENTS (TO INCLUDE ANY DETAILS OF WHETHER ANY OTHER VEHICLE WAS OBSTRUCTED, HOW LONG THEY WERE THERE)
Richard Brown	WF57 ZUA	102	10.37	18/10/2010	UNION ST	ON LOADING BAN	1	Parked outside Nat West
Richard Brown	WF57 ZUA	102	14.30	22/10/2010	UNION ST	ON LOADING BAN	1	Parked outside Nat West





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Please reply to: Shaun Rackley

Licensing & Public Protection

Roebuck House, Abbey Road,

Torquay, Devon

TQ2 5EJ

Mr D Zarezadeh

(address removed)

My ref: SAR090447

Your ref: **SRU 155329**

Telephone: 01803 208121

Fax: 01803 208854

E-mail: Shaun.Rackley@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 28th October 2010

Dear Mr Zarezadeh,

Re: Hackney Carriage Number 102 – Registration Number WF57 ZUA

I am writing to you to inform you that your vehicle registration details have been passed to me by Torbay Council's Parking Enforcement Officers because your vehicle has been seen illegally parked on Union Street, Torquay. The Parking Enforcement Officers have informed me that at 10:37hrs on Monday 18th October 2010 and again at 14:30hrs on Friday 22nd October 2010 your vehicle was parked on double yellow lines outside Natwest Bank on Union Street. Please be reminded that you should not be parking illegally at any time and any further breaches of parking regulations could result in you being brought before the Licensing Committee to explain your actions. I have enclosed the relevant photographs from the dates quoted.

As I am sure you are aware there have been many problems with the parking of taxis around Torquay for sometime now and we have reached the point where we can no longer allow this situation to continue. As a result many meetings have taken place between various representatives of the Council, the Taxi Trade and the Police and the result of these meetings is that the taxi trade have asked for a period of sustained enforcement which is now taking place. During this enforcement time, registration numbers of illegally parked vehicles are being taken by Licensing Staff, Parking Staff and the Police as well as CCTV and these numbers will be passed to the Licensing Section and if any vehicle is seen to be repeatedly breaching parking regulations then action will be taken against the driver of the offending vehicle.

Please ensure that in the future, you park your vehicle legally and in full compliance with all road traffic orders at all times. If you were not the driver of the vehicle at this time please accept my apologies, however I do need you to contact me to advise me of who was driving your vehicle at the time this incident took place.

Should you wish to discuss this matter further then please contact me on the above telephone number.

Yours sincerely

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If you require this in a different format or language, please contact me.

Shaun Rackley
Licensing Support Officer
Licensing & Public Protection

ENC'S

6

TAXI/PRIVATE HIRE PARKING REPORT FORM

Day :- Saturday

Date :- 19th February 2011

CEO No.	VRM No.	TAXI PLATE No. (Blue / Red)	TIME SEEN	LOCATION	WHAT WAS BEING OBSTRUCTED	No PHOTOS	COMMENTS (TO INCLUDE ANY DETAILS OF WHETHER ANY OTHER VEHICLE WAS OBSTRUCTED, HOW LONG THEY WERE THERE)
/			00:22	Bus lane, Seaward side The Strand, Torquay	Back of bus lane	/	Parked on double yellow lines.
/			00:30	"	Back of bus lane	/	Parked on double yellow lines for 3 minutes.
/			00:37	"	Back of bus lane	/	Parked on double yellow lines and moved on by Police.
/	WF57 ZUA	HC102	00:37	"	Back of bus lane	/	Parked on double yellow lines and moved on by Police.

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Appendix 7

Please reply to: Shaun Rackley

Licensing & Public Protection

Roebuck House, Abbey Road,

Torquay, Devon

TQ2 5EJ

Mr D Zarezadeh

My ref:

(Address removed)

Your ref: SRU 160044

Telephone: 01803 208121

Fax: 01803 208854

E-mail: Shaun.rackley@torbay.gov.uk

Website: www.torbay.gov.uk

Date: 4th March 2011

Dear Mr Zarezadeh,

Re: Hackney Carriage Number 102 – Registration Number WF57 ZUA

I am writing to inform you that your vehicle has been seen illegally parked on the Harbourside at Torquay by Licensing Enforcement Officers. Your vehicle was seen at 00:37 hrs on Saturday 19th February 2011 parked illegally on double yellow lines at the rear of the bus lane on the seaward side of Torquay Harbour. At the time in question a police van which was on an emergency shout came around the clocktower roundabout and moved you on as your vehicle was causing an obstruction in the highway.

As we have reminded you in previous correspondence you should not be parking illegally at any time and you were warned that any further breaches of parking regulations could result in you being brought before the Licensing Committee to explain your actions.

From our records we have recently written to you, (Ref: SAR090447, dated 28th October 2010) regarding illegal parking on another separate occasion. As a result of this I would now like you to write to me as soon as possible and in no case no later than 7 days from receipt of this letter to explain your actions as to why you think it is acceptable to be carrying on breaking parking regulations. On receipt of this information the Licensing Manger will decide whether to take the matter to Licensing Committee for actioning.

Should you wish to discuss this matter further then please contact me on the above telephone number.

Yours sincerely

Shaun Rackley
Licensing Support Officer
Licensing & Public Protection.

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10.3.11

Sirs,

With reference SRU16004

Re. Hackney Carriage licence number 102, Car Reg: WFS7UVA

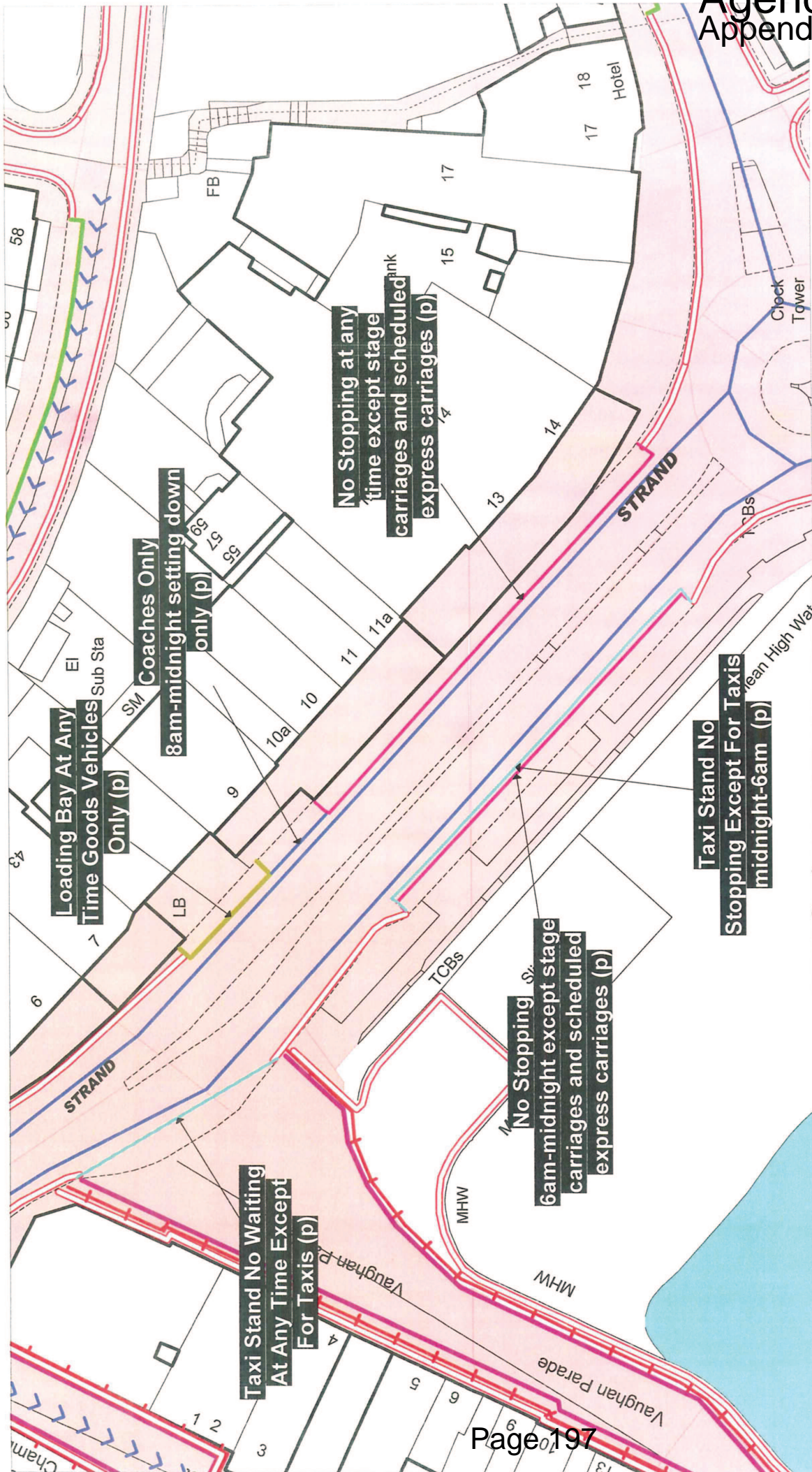
I have received a letter dated 4th March 2011 informing me of the possibility of being summoned before the licensing committee for allegedly parking on a double yellow line on the Torquay harbourside bank on the 19th February at 00:37hrs I was reported to the Council for this supposed infringement by a Police driver who seemed incapable of performing a simple overtaking manoeuvre, he came round the Clocktower Island with his lights and siren on so I automatically pulled over in the nearest safe place to let him pass, this put me on the yellow lines at the back of the bank, by the time the Police vehicle had passed the bank was moving so at no time were my wheels stationary for more than 30 ~~minutes~~ seconds as your CCTV cameras will attest.

As you are no doubt fully aware emergency vehicles have no automatic right of way on the roads and if sanctions are taken against me for gesture of solidarity with the Police then I will advise all of my work colleagues about the risks involved at becoming an easy target for over zealous Police enforcement and instead of pulling over to carry on driving until a safe, legal, place to pass is found which does not disrupt other road users, and as you know this is quite difficult between the harbour and the Iron Bridge at the bottom of Belgrave Road.

I find it incredulous that I can assist the Police by clearing the road then receive a letter such as yours.

Could you also let me know when a parking enforcement officer
will next be working as despite several complaints to the police
who seem unwilling to tackle private vehicles parking obstructively, yet
are only too keen to report Hackney Carriages, can you confirm there is
no vendetta??, and on Saturday night (5.3.11) at various points in the
night there were 6 ~~for~~ cars parked on the temporary bank in Towerfoot
street, at one time 4 vehicles were parked at once leaving no space
at all for taxis, have they received a letter from the Council informing
them of any action that may be taken? Again your CCTV will
provide footage or I can make the vehicle types and registration
number available.

Yours Sincerely



SCALE	1 : 650
DATE	27/01/2010
DRAWING No.	
DRAWN BY	

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Licence No. 2003

The Strand, Torquay



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Parking % In Harbour Area										
	No Waiting Taxis at any time	only	Pay & Display 8am-6pm	Coaches Only - 8am - midnight	No Stoppin Loading except bus Bay	Disabled Parking	Powered Two Wheelers	Kerb Length (m)		
Including 'No Waiting'										
Cary Parade (m)	172	42	0	0	54	0	0	268		
Strand (m)	114	29	0	10	112	0	0	280		
Torwood Street (m)	346	0	165	8	14	0	0	533		
Victoria Road (m)	278	38	130	0	0	0	0	446		
Total (m)	910	109	295	18	180	15	0	1527		
% of kerb length	60	7	19	1	12	1	0	100		
Note: After midnight, when the bus bay becomes an extra taxi rank the length increases to 161m, which equates to 11%.										
Excluding 'No Waiting'										
Cary Parade (m)		42	0	0	54	0	0	96		
Strand (m)		29	0	10	112	0	0	166		
Torwood Street (m)		0	165	8	14	0	0	187		
Victoria Road (m)		38	130	0	0	0	0	168		
Total (m)		109	295	18	180	15	0	617		
% of kerb length		18	48	3	29	2	0	100		

Note: After midnight, when the bus bay becomes an extra taxi rank the length increases to 161m, which equates to 26%

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Appendix 11



BYELAWS

made by the

COUNCIL

of the

BOROUGH OF TORBAY

with respect to

**HACKNEY CARRIAGES AND
PRIVATE HIRE VEHICLES**

Agenda Item 8
Appendix 11

14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall when standing or plying for hire and when hired wear that badge in such a position and manner as to be plainly visible.
15. The driver of a hackney carriage so constructed as to carry luggage shall when requested by any person hiring or seeking to hire the carriage:
- Convey a reasonable quantity of luggage;
 - Afford reasonable assistance in loading or unloading;
 - Afford reasonable assistance in removing it to or from the entrance of any house station or place at which he may take up or set down such person.
16. A driver of a motor hackney carriage shall not at any time when driving for hire smoke tobacco or any other like substance except with the consent of the hirer.
17. A proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person and shall immediately thereafter notify the fact to the Medical Officer of Health of the Council.
18. The driver or proprietor of a motor hackney carriage shall take all reasonable precautions to prevent the discharge herefrom in any street or public place of oil or spirit and shall not repair such carriage in any such street or public place so as to cause any such discharge except where such repairs are essential to secure the continued safe functioning of the vehicle and shall not wash such carriage in any street or public place.
19. The driver of a hackney carriage shall during the time that such carriage is standing at one of the stands referred to in these byelaws keep such stand in a clean and tidy condition.
20. The driver of a hackney carriage vehicle shall at all times while standing or plying for hire, have a copy of these Byelaws and shall produce the same for perusal and inspection on request by any person hiring the carriage, or other passenger, or any Authorised Officer of the Council.
21. A proprietor or driver of a hackney carriage shall not, while standing, plying or driving for hire drive or allow to be driven or harnessed to the carriage any animal in such a condition as to expose any person conveyed or being in such carriage or any person traversing any street to risk of injury.
22. The driver of a hackney carriage drawn by any animal or animals shall while standing plying or driving for hire cause every part of the harness of the animal or animals drawing the carriage to be kept in order so that the animal or animals shall be properly and securely attached to the carriage and under due control.

5

8. The driver of a hackney carriage of a description for which stands are fixed by any byelaw in that behalf shall when plying for hire in any street and not actually hired:
- Proceed with reasonable speed to and station the carriage on one of such stands or the stands provided at Torquay Paignton or Torre Stations if authorised by the Railway Authorities to use such stands;
 - If a stand at the time of his arrival is occupied by the full number of carriages authorised to occupy it proceed to another stand;
 - On arriving at a stand not already occupied by the full number of carriages authorised to occupy it station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - From time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward;
 - If his carriage is the first or second carriage on the stand remain with the carriage ready to be hired at once.
9. A proprietor or driver of a hackney carriage when standing or plying for hire shall not be calling out or otherwise importune any person to hire such carriage and shall not make use of the services of any person for the purpose.
10. Every proprietor or driver of a hackney carriage shall at all times when standing plying or driving for hire, conduct himself in a civil and orderly manner be clean and respectable in his dress and shall act with civility towards every person seeking to hire such carriage and shall comply with every reasonable requirement of any person hiring such carriage and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall unless delayed or prevented by some sufficient cause punctually attend with such carriage at such appointed time and place.
12. The driver of a hackney carriage when hired to drive to any particular destination shall subject to any directions given by the hirer proceed to that destination by the shortest available route.
13. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage. For the purposes of this byelaw, two children between the ages of three and ten years shall be regarded as one person but no more than six such children may be conveyed in a hackney carriage at any one time. A child under the age of three years shall not be reckoned.

4



SW/WS1

STATEMENT OF WITNESS
C.J.A. Statement

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

STATEMENT OF Stephen Cox

Age of Witness Over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

Occupation of Witness: Environmental Health Manager (Commercial)

This statement, consisting of one page each signed by me, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 7th day of April 2011

Signed.....

I, Stephen Cox am an Environmental Health Manager at Torbay Council, responsible for the Commercial Team in Community Safety. As part of my role I am responsible for the licensing of taxi's. In the early hours of the 19th February 2011, in the company of Shaun Rackley, Licensing Support Officer. At 0037, I witnessed Hackney Carriage HC102, registration number WF57 ZUA, illegally parked on double yellow lines at the rear of the bus lane on the seaward side of Torquay Harbour, which forms part of the Clocktower Roundabout. At the time in question a police van on an emergency call, came around the clock tower roundabout and moved the vehicle on as it was causing an obstruction in the highway. The driver, Mr Zarezadeh, did not pull over as was suggest in his letter dated 10th March 2011, but was already parking/queuing on the double yellow lines to the rear of the rank.

Signed.....

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