

LICENSING SUB-COMMITTEE

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

Thursday, 21 July 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 Doggett

Councillor Ellery

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** (Pages 1 - 2)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 16 June 2011.
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. **Hollicombe Park, Torbay Road, Paignton** (Pages 3 - 44)
To consider a report on an application for a Premises Licence in respect of Hollicombe Park, Torbay Road, Paignton.

7. PB Stores, 105 Foxhole Road, Paignton

(Pages 45 - 62)

To consider a report on an application for a Premises Licence in respect of PB Stores, 105 Foxhole Road, Paignton.

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Minutes of the Licensing Sub-Committee

16 June 2011

-: Present :-

Councillors Addis, Ellery and James

84. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

85. Minutes

The Minutes of the meeting of the Sub-Committee held on 19 May 2011 were confirmed as a correct record and signed by the Chairman.

86. Coyote Cafe Bar, 3-5 Union Street, Torquay

Upon receiving information from the Senior Licensing Officer and advice from the Legal Advisor to the Sub-Committee, Members were satisfied that every effort had been made by the Licensing Department to contact the applicant for Coyote Café Bar, 3-5 Union Street, Torquay. In light of the Licence being transferred to the freeholders, Members resolved that this matter be dismissed.

Chairman

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Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Premises Licence
Hollicombe Park, Torbay Road, Paignton**

Wards Affected: **Cockington with Chelston**

To: **Licensing Sub Committee** **21 July 2011**

Contact Officer: **Karen Ellicott**
Telephone: **01803 208029**
E.mail: **Licensing@torbay.gov.uk**

1. Key points and Summary

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a new Premises Licence.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 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” and “The Prevention of Public Nuisance”.
- 1.5 The matter must be considered on its merits having received details of the issues arising either at a hearing or by written Representation if all parties have agreed that a hearing is not necessary. A decision must be made, having considered the Representations, either:-
 - (a) to grant the licence subject to
 - (i) such conditions as are consistent with the submitted operating Schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
 - (ii) any condition which must under Section 19, 20 or 21 be included in the licence;

(Such conditions may differ in respect of different parts of the Premises and/or different activities).
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the Premises Supervisor;
 - (d) to reject the application.

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

2. Introduction

- 2.1 An application has been made under Section 17 of the Act for a Premises Licence to permit licensable activities at the Premise detailed above. Details of the relevant pages of the application are shown in Appendix 1.

A brief description of the application, as follows:

Films, Live Music, Recorded Music, Performance of Dance, Anything of a Similar Description, Provision of Facilities for Making Music and Dancing, Provision of Facilities of Anything Similar (all Indoors & Outdoors) and Indoor Sporting Events from 09:00 until 23:00 Monday to Sunday.

Late Night Refreshment from 23:00 until 23:30 Monday to Sunday

To be open to the public from 09:00 until 23:30 Monday to Sunday.

The Applicant has stipulated that there shall be no more than 10 days of events per year.

- 2.2 The Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 17(5) but is unable to issue the Licence, as a relevant Representation has been received from a Responsible Authority and two relevant Representations from Interested Parties. The Licensing Authority is also satisfied that the Representations have been received within the appropriate time scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received one Representation from the Police in relation to the Licensing Objective "The Prevention of Crime and Disorder". This is shown as Appendix 2.

We have received two Representations from Interested Parties in relation to the Licensing Objectives "The Prevention of Crime and Disorder" and "The Prevention of Public Nuisance". These are shown in Appendix 3.

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

- 2.3 The Authority is required to conduct a hearing by the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representations and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-

(a) The holder of the licence against any decision

- (i) to impose conditions on the licence, or
 - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
- (b) Any person who made a relevant Representation who desires to contend
 - (i) that the licence ought not to have been granted, or
 - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions, or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.

- 2.7 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
and may make such order as to costs as it thinks fit.

Frances Hughes
Executive Head Community Safety

Appendices

Appendix 1 Details of the application.

Appendix 2 Details of the Representation from the Police.

Appendix 3 Details of the Representations from the Interested Parties.

Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2008 - 2011.

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FORM B

**LICENSING ACT 2003
APPLICATION
FOR THE GRANT OF A
PREMISES LICENCE**

NOTIFICATION

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act 1998. The information that you provide on this form will only be used for this application form and will only be disclosed where necessary under any applicable legislation.

Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.

You have a right of access to your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 20 7467. Further information can be found on the Information Governance pages on Torbay Council's Internet site at, www.torbay.gov.uk

Completed forms should be returned to:

**Principal Safety & Licensing Officer
Torbay Council
Environmental Health and Community Safety
Roebuck House
Abbey Road
Torquay
TQ2 5EJ**

Contact Details:

Tel: 01803 20 8126

Web: www.torbay.gov.uk

Fax: 01803 20 8854

Email: licensing@torbay.gov.uk





Application for a Premises Licence to be granted
under the Licensing Act 2003

FORM B

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/We Beach Bum Events LTD

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Hollicombe Park, Torbay Road, Paignton			
Post town	Paignton	Post code	

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Beach Bum Events LTD
Address No.1, 13 St Matthews Road Chelston Torquay TQ2 6JA
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Events Company and organisers of Pride Torbay
Telephone number (if any) 07771885495
E-mail address (optional) info@pridetorbay.org

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
3	0	0	7	2	0
1	1	1	1	1	1

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	
1	1	1	1	1	1
1	1	1	1	1	1

Please give a general description of the premises (please read guidance note1)
Hollicombe Park, Torbay Road, Paignton, Devon

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input checked="" type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2300	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	0900	2300			
Wed	0900	2300	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	0900	2300			
Fri	0900	2300	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2300			
Sun	0900	2300			

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	0900	2300			
Tue	0900	2300			
Wed	0900	2300	<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur	0900	2300			
Fri	0900	2300			
			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat	0900	2300			
Sun	0900	2300			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon	0900	2300	
Tue	0900	2300	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	0900	2300	
Thur	0900	2300	<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri	0900	2300	
Sat	0900	2300	
Sun	0900	2300	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon	0900	2300						
Tue	0900	2300						
Wed	0900	2300				<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	0900	2300						
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)					
Sat	0900	2300						
Sun	0900	2300						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2300	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	0900	2300			
Wed	0900	2300	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	0900	2300			
Fri	0900	2300	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2300			
Sun	0900	2300			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2300	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	0900	2300			
Wed	0900	2300	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	0900	2300			
Fri	0900	2300	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2300			
Sun	0900	2300			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u> Karaoke		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	0900	2300		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	0900	2300	<u>Please give further details here</u> (please read guidance note 3)		
Wed	0900	2300			
Thur	0900	2300	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri	0900	2300			
Sat	0900	2300	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	0900	2300			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Mon	0900	2300	<u>Please give further details here</u> (please read guidance note 3)	
Tue	0900	2300		
Wed	0900	2300	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur	0900	2300		
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	0900	2300		
Sun	0900	2300		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon	0900	2300		
Tue	0900	2300		
Wed	0900	2300		
Thur	0900	2300		
			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
Fri	0900	2300	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat	0900	2300		
Sun	0900	2300		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	0900	2300		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	0900	2300	<u>Please give further details here</u> (please read guidance note 3)		
Wed	0900	2300			
Thur	0900	2300	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri	0900	2300			
Sat	0900	2300	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun	0900	2300			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	2330	<u>Please give further details here</u> (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	2300	2330	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	2300	2330	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Thur	2300	2330			
Fri	2300	2330			
Sat	2300	2330			
Sun	2300	2330			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	0900	2330
Tue	0900	2330
Wed	0900	2330
Thur	0900	2330
Fri	0900	2330
Sat	0900	2330
Sun	0900	2330

State any seasonal variations (please read guidance note 4)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

There shall be no more than 10 days of events per year.

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

See attached schedule 1

b) The prevention of crime and disorder

See attached schedule 2

c) Public safety

See attached schedule 3

d) The prevention of public nuisance

See attached schedule 4

e) The protection of children from harm

See attached schedule 5


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	12/5/10
Capacity	Director from Beach Bum EVENTS

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional) DAVE@PRIDETORBAY.ORG			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



Annexe 1

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Schedule 1

General

1. The event organiser shall consult with the emergency services, private security, Torbay Council; including Children's Services, the Health and Safety Team, Environmental Health, Events, Building Control (regarding temporary structures), Highways, Parking Services and any other relevant departments. The Public Safety Advisory Group and Coastguard shall also be consulted. Relevant directions given by these groups shall be acted upon with the aim to achieve a safe environment.
2. The event organiser or designated deputy shall be on site at all times during the event and shall be contactable via mobile telephone and radio. All authorities and departments mentioned above shall have a contact number for the event organiser in case of emergency.
3. All events planned shall take into consideration the guidelines set out in the Licensing Objectives, The Event Safety Guide, The Code of Practice for Outdoor Events and the Fire Safety Risk Assessment - Open Air Events and Venues.
4. There shall be adequate fire, first aid and lost children's points on site during any event.
5. All relevant documentation such as health and safety records and policies, risk assessments (including fire assessment), evacuation plans, site maps, emergency procedures, communications lists and insurances shall be kept available and produced for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
6. Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.

7. Toilets and catering facilities shall meet necessary requirements.

8. There shall be facilities to have announcements as laid out in the guidance notes.

9. Provisions shall be made for the disabled.

Schedule 2

The Prevention of Crime and Disorder

1. Sufficient numbers of security staff and stewards who are fully trained shall be provided on the premises. A ratio of at least 1 SIA qualified steward per 250 people.
2. A register of staff, including security staff, working at the premises whilst the public is present shall be maintained.
3. Any person employed or engaged on the premises in a security activity such as the vetting of customers and/or the maintenance of public order at either any entrance to the premises or any part within shall hold the appropriate Security Industry Authority accreditation.
4. When on duty every attendant shall wear a uniform, distinctive dress or armband and no person under the age of sixteen shall be employed as an attendant on the premises.
5. Security and management shall have radios to enable effective communication.
6. The communication equipment shall be kept in working order at all times that the premises are open to the public ensuring that all instances of crime and disorder are reported to an agreed police contact.
7. In the event of an alcohol licence being issued for an event only plastic glasses shall be used and extra security staff shall be hired as required. No glass bottles will be sold.
8. The event organiser shall liaise with police and keep the authorities fully informed regarding programme of events.
9. Any police instructions/directions shall be complied with whenever given.
10. There shall be a central control point on site for emergency services, security, event organisers and council officers to liaise.

Schedule 3

The Provision of Public Safety

1. The event organiser shall adhere to the HSE Event Safety Guide regarding first aid levels, police, security and public provision.
2. All staff shall have received suitable training as to what to do in an emergency and in general safety precautions.
3. Consideration shall be given to ensure the maximum occupancy levels are controlled. All persons shall be counted in and out of the premises. There shall not be more than 5000 persons on the site at any one time.
4. Adequate access shall be provided for emergency vehicles. Emergency points and hydrants shall be maintained.
5. Relevant codes of practice shall be followed regarding marquees, fireworks, laser shows and fire extinguishers.
6. On site health and safety inspections shall be carried out where necessary.
7. Where patrons wait in a queue for admission, all reasonable steps shall be taken to ensure that such persons do not obstruct exits.
8. Portable barriers/guards shall be available where queues for entry can be envisaged. These shall be arranged so as to control patrons and keep the pavements clear.
9. Qualified first-aiders shall be present on the premises during the whole time the premises are made available for regulated entertainment.
10. Facilities and equipment suitable for the number of patrons and the type of event undertaken shall be provided to enable first-aid treatment to be given promptly in the event of injury to patrons or staff.
11. Persons shall not be allowed to stand, sit or otherwise remain in any gangway or exit way.
12. Lighting shall be provided where necessary and will meet requirements as set out in The Code of Practice for Outdoor Events and The HSE Event Safety Guide.
13. Smoking shall be prohibited within any enclosed area, including the stage area and notices shall be prominently displayed to this effect.

14. The area shall be closed to the public during site build and load out.

15. No work in connection with any alterations or repairs in areas occupied by the public or performers shall be carried out whilst the public are on the Premises.

16. The staff alerting system shall be maintained in working order.

17. Only reputable contractors shall be used to provide temporary structures that conform to current regulations.

18. Checks shall be made on contractors documentation i.e. test certificates, food hygiene and insurances.

Schedule 4

The Prevention of Public Nuisance

1. The event organiser shall liaise with Environmental Health and comply with any directions given.
2. Stage and sound speakers shall be positioned to face out to sea in consideration of local residents.
3. Sound levels shall be monitored regularly. The event organiser or designated deputy shall be on site at all times and shall have the power to reduce sound levels if required.
4. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 11pm. This shall be assessed from the boundary from the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are;
 - i. Before 11pm – Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - ii. After 11pm – Noise emanating from the premises shall not be distinguishable above background levels of noise.
5. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the Premises not accessible to the public.
6. The event organiser or designated deputy shall assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment to ensure levels of noise have not increased.
7. The event organiser or designated deputy shall be contactable via mobile telephone at all times during the event. This contact number shall be given to all emergency services and relevant council offices including environmental health prior to any planned event.
8. Construction and derig of events shall not be carried out at an unsociable hour (between 23.00 and 7.30).
9. If in use at all, only silent generators shall be used overnight.
10. A wind down period shall be calculated for during the programming of events to allow

for public dispersal.

11. As far as is practical, persons on or leaving the premises shall be reminded to conduct themselves in an orderly manner and not to cause annoyance to residents or persons passing by.

12. Facilities for depositing litter and the collection of litter generated by patrons shall be available and maintained.

13. All the rubbish produced by the premises shall be stored securely in a designated area. This shall help prevent litter being blown around.

14. Litter picking teams shall be on duty throughout the event to keep the site clear.

15. The event organiser shall liaise with the Police, Torbay Councils Highways department and Parking Services regarding the implementation of traffic management plans.

16. There shall be no more than 10 days of events per year.

Schedule 5

The Protection of Children from Harm

1. There shall be a lost children's point on site and facilities to have announcements as laid out in the guidance notes.
2. The event organiser shall liaise with police and children's services and comply with any directions given.
3. A register of all staff, including security staff, working at the premises whilst the public is present shall be maintained.
4. When on duty event attendant shall wear a uniform, distinctive dress or armband and no person under the age of sixteen shall be employed as an attendant on the premises.
5. During any performances principally for child audiences, additional steps shall be provided to ensure the safety and well being of children present on the premises.
6. Any persons working with children on site shall be suitably interviewed and reference checked. Where there are activities available to children that do not require parental supervision, staff working with children shall be suitably CRB checked.
7. Where films are shown they shall be the right certificates for children.
8. The sale of tobacco shall be prohibited at all events.

Key

Scale 1:1000

10mm = 10 Meters



Toilets

1 Main Gate

3 Fire Exits

6 Steps to raised level

4 First Aid/Info

- All wheelchair areas



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DEVON & CORNWALL
CONSTABULARY

Our ref: Lic/Dev/njs

Your ref:

Licensing Department
Torbay Council
Roebuck House
Abbey Road
TORQUAY
TQ2 5EJ

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

8 June 2011

Telephone: 01803 841327

Dear Sir/Madam

Re: Hollicombe Park, Paignton

I refer to the above premises and an application for the Grant of a new Premises Licence, made by Beach Bum Events Ltd.

The police do not object to the grant of this licence, but would ask that the following condition is imposed on the licence in order to meet the licensing objectives:

1. A copy of risk assessments, event itinerary and event notification shall be supplied to the local Police Inspector and the Torbay Police Licensing Department at least 3 months prior to any event.

The police do not consider that there are other ways in which this application can be made acceptable.

Should you require any further information, please contact Neil Stanlake of my Licensing Department.

Yours faithfully

Superintendent J Nye
Geographic Superintendent - Torbay



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27 June 2011.

Executive Head of Community Safety,
Torbay Council,
Roebuck House,
Abbey Road,
Torquay,
TQ2 5EG.

Dear Sir,

**Licensing Act 2003
Application 026287-Hollicombe Park.**

Our house overlooks Hollicombe Park and I wish to object to the above application.

I have no problem with the conditions imposed by the Council but:-

1. I do not believe that the organisers can possibly comply with Condition 4 under the Prevention of Public Nuisance section, and operate the event as published. Given the proximity of houses to the Park and the operation of a public address system, with live and recorded music it is totally unrealistic to imagine that Residents will not be disturbed, whichever way the loudspeakers are facing. This would be particularly so if there is an East wind. Even for an event such as the Rowing Clubs Race Day, the public address system has been intrusive, and that was an event on a much smaller scale and only for one morning.
2. We are faced with the prospect of loud noise nuisance for 4 consecutive days and nights up to 11-30 pm. One night might be acceptable but 4 certainly isn't.
3. There is little parking available in the vicinity and we will have 4 days of traffic problems.

I do not believe that Hollicombe Park is a suitable venue for this kind of event and I do not think the licence should be granted for the period of the application. I do not believe that in supporting the event in the way it has, the Council has properly considered the welfare of the residents. Therefore I request that this application be rejected in its current form.

Yours sincerely,

23 JUN 2011

Proximity

16/06/11
Scanned

12th June 2011

Executive Head of Community Safety
Torbay Council
Roebuck House
Abbey Road
Torquay
Devon, TQ2 5EJ

Dear Sir or Madam

Re: Hollicombe Park Application for Alcohol License

I am writing to object in the strongest possible terms to the application to serve alcohol in Hollicombe Park. My objections are as follows:

- There is enough alcohol-related trouble in the town, without spilling the problem into the suburbs. Is this an attempt to deflect the town's problems into the other areas of the Bay? There is plenty of evidence around the negative impact of combining alcohol with loud music and outdoor environments. Why is this risk considered acceptable in such a built up residential area?
- The applicant, known as Beach Bum Events Limited, appears to be a nascent business with no listed credentials or valid endorsements; while the name of the company alone indicates pretty much everything we may need to know, the fact that this is a recently-formed operation run from a local flat does not instil confidence. What is more, the company's website is unfinished and lacking in real detail. Notice the missing content on <http://www.beachbumevents.co.uk/services>. Surely we should not entrust entertainment that impacts such a wide residential area to someone who does not even promote their own business professionally? Does this business demonstrate any valid credentials? What assurance do we have of how such events will be run and managed? Are the Police aware of this proposal? What is their opinion?
- As a local resident, I was not aware of any formal process that had signed off the use of this land for events. At what point were local residents contacted about whether we wanted events in this area? If not, why don't we have any choice in these matters? What kind of events are planned? I am doubtful Beach Bum Events Limited is likely to promote Shakespeare plays and Mozart concerts which might attract the kind of people to the Bay that would help invest in the area. Is the planned programme seasonal? Are we to expect regular noise every weekend throughout the year? What parking arrangements will be made? Who is regulating the timing and calibre of activities?

/cont'd ...

Page 2/cont'd...

If these decisions on any square green inch of free land in Torbay are going to continue to devalue the area and liken our locale to a holiday camp, I for one would like to see a huge reduction in my Council tax. I simply do not understand the strategy of the Council when it comes to promoting interest and investment in the Bay. The last thing we need is more venues that constitute a breeding ground for unemployed drug addicts.

I hope common sense prevails and residents are given an opportunity to influence this proposal; surely the needs of local residents should be considered first and foremost? I believe the Council must raise its game when considering the type of activities that promote the long term health of the area; I would respectfully suggest balloons, casinos and alcohol-fuelled music fests are not taking us in the right direction.

Please keep me informed of what is planned; such a programme is going to affect everyone within at least a two-mile radius.

Yours faithfully

P.S. I am aware that the Midas new build across the road from this proposed activity is still (thankfully) delayed, but I am wondering how pleased Midas would feel about the potential for an open air pub opposite their development, since the site is already apparently too much of a lost leader to be able to provide S.106 monies.

Cc Mayor Gordon Oliver

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Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Premises Licence in respect of PB Stores, 105 Foxhole Road, Paignton**

Wards Affected: **Blatchcombe**

To: **Licensing Sub- Committee** **21 July 2011**

Contact Officer: **Karl Martin**
☎ Telephone: **01803 207614**
✉ E.mail: **Licensing@torbay.gov.uk**

1. **Key points and Summary**

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a new Premises Licence.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 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 Protection of Children from Harm"
- 1.5 The matter must be considered on its merits having received details of the issues arising either at a hearing or by written Representation if all parties have agreed that a hearing is not necessary. A decision must be made, having considered the Representations, either:-
 - (a) to grant the licence subject to
 - (i) such conditions as are consistent with the submitted operating Schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and
 - (ii) any condition which must under Section 19, 20 or 21 be included in the licence;

(Such conditions may differ in respect of different parts of the Premises and/or different activities).
 - (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) to refuse to specify a person in the licence as the Premises Supervisor;
 - (d) to reject the application.
- 1.6 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Interested Parties and Responsible Authorities

following the determination of the matter.

2. Introduction

- 2.1 An application has been made under Section 17 of the Act for a Premises Licence to permit licensable activities at the Premise detailed above. Details of the relevant pages of the application are shown in Appendix 1.

A brief description of the application, as follows:

The supply of alcohol off the Premises from 07:00hrs until 23:00hrs Monday to Sunday.

To be open to the public from 07:00hrs until 23:00hrs Monday to Sunday.

- 2.2 The Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 17(5) but is unable to issue the Licence, as a relevant Representation has been received from Interested Party and a Responsible Authority. The Licensing Authority is also satisfied that such Representations have been received within the appropriate time scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received a Representation from the Police in relation to the Licensing Objective "The Prevention of Crime and Disorder". This is shown as Appendix 2.

We have received one Representation from an Interested Party in relation to the Licensing Objectives "The Prevention of Crime and Disorder" "Public Safety" and "The Protection of Children from Harm". This is shown in Appendix 3.

- 2.3 The Authority is required to conduct a hearing by the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representations and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-
- (a) The holder of the licence against any decision
 - (i) to impose conditions on the licence, or
 - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
 - (b) Any person who made a relevant Representations who desires to contend
 - (i) that the licence ought not to have been granted, or
 - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions, or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.

- 2.7 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

Frances Hughes
Executive Head Community Safety

Appendices

- | | |
|------------|---|
| Appendix 1 | Details of the application. |
| Appendix 2 | Details of the Representation from the Police. |
| Appendix 3 | Details of the Representation from an Interested Party. |

Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2011.



**Application for a Premises Licence to be granted
under the Licensing Act 2003**

FORM B

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/We PAUL GRAHAM BELLWORTHY

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 105 PB Stores FOXHOLE ROAD			
Post town	PAIGNTON	Post code	TQ3 3SU

Telephone number at premises (if any)	01803 552840
Non-domestic rateable value of premises	£3600

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname BELLWORTHY			First names PAUL GRAHAM		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		15 LUSCOMBE ROAD			
Post Town	PAIGNTON			Postcode	TQ3 3TL
Daytime contact telephone number			01803 525503		
E-mail address (optional)		pbstores@hotmail.com			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year	
2	4	0	6	2	0
1	1	1	1	1	1

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year	
1	1	1	1	1	1
1	1	1	1	1	1

Please give a general description of the premises (please read guidance note1)

CONVENIENCE AND GENERAL STORE CONTAINED IN A SINGLE UNIT WITH DELIVERIES MADE TO THE REAR OF THE PREMISES.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	07.00	23.00			
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00			
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) GOOD FRIDAY 08.00 - 21.00		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name PAUL GRAHAM BELLWORTHY	
Address 15 LUSCOMBE ROAD PAIGNTON	
Postcode	TQ3 3TL
Personal Licence number (if known) PA2349	
Issuing licensing authority (if known) TORBAY COUNCIL	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	07.00	23.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</p> <p>GOOD FRIDAY 08.00 - 21.00</p>
Tue	07.00	23.00	
Wed	07.00	23.00	
Thur	07.00	23.00	
Fri	07.00	23.00	
Sat	07.00	23.00	
Sun	07.00	23.00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

THE APPLICANT WILL MANAGE THESE PREMISES IN LINE WITH ALL OF THE FOUR LICENSING OBJECTIVES

b) The prevention of crime and disorder

1) THE PREMISES ARE COVERED BY CCTV. THE SYSTEM RECORDS AND THE DATA IS STORED FOR AT LEAST 28 DAYS. THE DATA WILL BE MADE AVAILABLE TO THE AUTHORITIES ON REQUEST.

c) Public safety

THE LICENCE HOLDER IS AWARE OF THEIR RESPONSIBILITIES UNDER THE REGULATORY REFORM (FIRE SAFETY ORDER) ACT 2005

d) The prevention of public nuisance

THERE IS A LOCABLE BIN TO THE REAR OF THE PREMISES TO STORE ALL CARDBOARD WASTE FROM THE BUSINESS AND A PUBLIC WASTE BIN TO THE FRONT OF THE PREMISES.

e) The protection of children from harm

1) THE CHALLENGE 21 SCHEME WILL BE ADOPTED AT THE PREMISES. ANY PERSON WHO APPEARS TO BE UNDER THE AGE OF 21 WILL BE CHALLENGED FOR IDENTIFICATION TO PROVE THEY ARE OVER THE AGE OF 18. THE ONLY IDENTIFICATION THAT WILL BE ACCEPTED ARE A PHOTOGRAPHIC DRIVING LICENCE, A PASSPORT OR A GOVERNMENT APPROVED PASS CARD.


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	24.05.2011
Capacity	OWNER

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or un-amplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



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**DEVON & CORNWALL
CONSTABULARY**

Scanner H

*S20
162984*

Our ref: Lic/Dev/jks

Your ref:

Licensing Department
Torbay Council
Roebuck House
Abbey Road
TORQUAY
TQ2 5EJ

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

6 June 2011

Telephone: 01803 841327

Dear Sir/Madam

Re: P B Stores, 105 Foxhole Road, Paignton, TQ3 3SU

I refer to the above premises and an application for the Grant of the Premises Licence.

The police do not object to the grant of this licence, but would ask that the following condition is imposed on the licence in order to meet the licensing objectives:

1. All spirits to be kept behind the counter area and to be sold by counter service only.

The police do not consider that there are other ways in which this application can be made acceptable.

Should you require any further information, please contact Neil Stanlake of my Licensing Department.

Yours faithfully

Superintendent J Nye
Geographic Superintendent - Torbay

01803 841327



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Babbage, Carrie

From: [REDACTED]
Sent: 21 June 2011 12:05
To: Babbage, Carrie
Cc: Thomas, David
Subject: PB Stores 105 Foxhole Road, Paignton, Devon, TQ3 3SU Open Application 026265

Dear Carrie,

Please see my list of objections to a licence being granted to PD Stores.

Public safety.

Crime, Drugs, underage drinking, Drink driving, ASBO's are being slowly curbed by the police & PCSO's. There is no mention of how you will combat Public safety with regards to the mentioned points

Crime prevention & disorder

Alcohol increases crime be it theft, drugs vandalism gathering of kids, people etc. This can not be policed effectively without Devon & Cornwall police diverting resources to the area. When the Pub was open there where big problems and disturbances, vandalism . Adding another shop that sells cheap alcohol will encourage this problem that we have been free of for a while.

The hours of opening are not acceptable it will encourage people to use the shop to get alcohol late at night from outside the area, although good for the shop but not good for the residence the flats above the shop with regards to noise. It will also encourage drink driving and other alcohol offensive's.

I hope this is satisfactory?

Best wishes & kind regards

[REDACTED]
[REDACTED]
[REDACTED]

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