



Wednesday, 29 February 2012

LICENSING SUB-COMMITTEE

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

Thursday, 8 March 2012

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 Faulkner (A)

Councillor James

Councillor Butt

Working for a healthy, prosperous and happy Bay

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

**Teresa Buckley, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207013**

Email: governance.support@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 9 February 2012.
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. **Paignton Green, Paignton** (Pages 3 - 34)
To consider an application for a Premises Licence in respect of Paignton Green, Paignton.



Minutes of the Licensing Sub-Committee

9 February 2012

-: Present :-

Councillors Addis, Ellery and Faulkner (A)

538. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

539. Vaughans Café Bar, 3-4 Vaughan Parade, Torquay TQ2 5EG

Members considered a report on an application for a variation to a Premises Licence in respect of Vaughans Café Bar, 3-4 Vaughan Parade, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation suggesting replacement of three conditions with two revised conditions and additional conditions to be added to the Licence should the Licence be granted.	16 January 2011

Applicant's response to Representations:

A letter from the Applicant's Solicitor dated 13 January 2012 showing acceptance of the four proposed additional conditions and two replacement conditions representing rewording of conditions 1, 2 and 4 at Part (b) of their application (Prevention of Crime and Disorder) in response to the Representation made by the Police.

Additional Information

The Police did not attend the meeting as there has been an agreement on the proposed conditions between the Police and the Applicant.

Oral Representations received from:

Name	Details
Applicant's Solicitor	The Applicant's Solicitor outlined the application, as set out in the submitted report and responded to the Representations from the Police and Members questions.

Decision:

That the application for a Variation to the Premises Licence in respect of Vaughan's Café Bar, 3-4 Vaughan Parade, Torquay be granted as applied for, subject to the proposed conditions to be added and removed as suggested by the Police and agreed by the Applicant.

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved to grant the application for a Variation to the Premises Licence having been satisfied that the consultation between the Police and the Applicant has resulted in an agreed position in respect of the Licensing Objectives being promoted.

Members considered the Council's Policy on the Cumulative Impact Area and resolved to depart from this Policy, as they believed on the evidence before them and the imposition of the agreed conditions, that the grant of the application would not add to Crime and Disorder or Public Nuisance.

Chairman



Public Agenda Item: **Yes**

Title: An application for a Premises Licence – Paignton Green, Paignton

Wards Affected: **Roundham with Hyde**

To: **Licensing Sub Committee** **8 March 2012**

Contact Officer: **Mandy Guy**

☎ Telephone: **01803 208124**

✉ 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 Applicant and Interested Party 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:

To permit Plays; Films; Indoor Sporting Events; Live Music; Recorded Music; Performances of Dance; anything similar to Live Music, Recorded Music and the Performances of Dance; Provision of Facilities for making Music; Provision of Facilities for Dancing; Provision of Facilities for Entertainment of a Similar Description to the Provision of Facilities for Making Music and Dancing; from 10.00 until 23.30.

To permit the Supply of Alcohol from 10.00 until 23.00.

To provide Late Night Refreshment from 23.00 until 23.30.

The application is for 3 events per year between April and September for up to 12,000 people.

The land is public open space and as such is open 24 hours a day.

A copy of the plan of the Premises is shown as Appendix 2.

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

We have received one Representation from the Police in relation to the Licensing Objectives "The Prevention of Crime and Disorder", "Public Safety" and "The Protection of Children from Harm" are shown in Appendix 4.

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

- 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 Representation and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.

- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-
- (a) The holder of the licence against any decision
 - (i) to impose conditions on the licence, or
 - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
 - (b) Any person who made a relevant Representation who desires to contend
 - (i) that the licence ought not to have been granted, or
 - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions, or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.
- 2.7 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

Frances Hughes
Executive Head Community Safety

Appendices

- Appendix 1 Details of the application.
- Appendix 2 Plan of Premises.
- Appendix 3 Representation from the Police.

If the above appendices are not attached to this report, they can be viewed at Connections Offices in Torquay, Paignton or Brixham and Torquay, Paignton, Churston or Brixham Libraries. Copies can also be obtained from the Democratic Services Office, Town Hall, Torquay.

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 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 Torbay Council

(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 PAIGNTON GREEN MAP ATTACHED			
Post town	PAIGNTON	Post code	TQ4 6BW
Telephone number at premises (if any)		N/A	
Non-domestic rateable value of premises		£0	

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)

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

TO HOLD ONLY 3 LARGE EVENTS PER YEAR BETWEEN APRIL - SEPTEMBER
BETWEEN THE HOURS OF 10.00 - 23.30 HOURS

MAP ATTACHED

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

12000

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)			<u>Will the performance of a play 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	10.00	23.30			
Tue	10.00	23.30			
Wed	10.00	23.30	<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur	10.00	23.30			
Fri	10.00	23.30			
Sat	10.00	23.30			
Sun	10.00	23.30			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	10.00	23.30			
Tue	10.00	23.30			
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed	10.00	23.30			
Thur	10.00	23.30			
			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 (please read guidance note 5)		
Fri	10.00	23.30			
Sat	10.00	23.30			
Sun	10.00	23.30			

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	10.00	23.30	
Tue	10.00	23.30	<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed	10.00	23.30	
Thur	10.00	23.30	<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	10.00	23.30	
Sat	10.00	23.30	
Sun	10.00	23.30	

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	10.00	23.30			
Tue	10.00	23.30			
Wed	10.00	23.30	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	10.00	23.30			
			<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)		
Fri	10.00	23.30			
Sat	10.00	23.30			
Sun	10.00	23.30			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded 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	10.00	23.30			
Tue	10.00	23.30			
Wed	10.00	23.30	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur	10.00	23.30			
			<u>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</u> (please read guidance note 5)		
Fri	10.00	23.30			
Sat	10.00	23.30			
Sun	10.00	23.30			

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	10.00	23.30	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	10.00	23.30			
Wed	10.00	23.30	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	10.00	23.30			
Fri	10.00	23.30	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	10.00	23.30			
Sun	10.00	23.30			

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>		
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	10.00	23.30		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	10.00	23.30	<u>Please give further details here</u> (please read guidance note 3)		
Wed	10.00	23.30			
Thur	10.00	23.30			
Fri	10.00	23.30	<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)		
Sat	10.00	23.30			
Sun	10.00	23.30			
			<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)		

1

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)	
			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	10.00	23.30		
Tue	10.00	23.30	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Wed	10.00	23.30		
Thur	10.00	23.30	<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)	
Fri	10.00	23.30		
Sat	10.00	23.30		
Sun	10.00	23.30		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (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	10.00	23.30			
Tue	10.00	23.30			
Wed	10.00	23.30			
Thur	10.00	23.30			
Fri	10.00	23.30			
Sat	10.00	23.30			
Sun	10.00	23.30	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
			<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)		

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	10.00	23.30		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	10.00	23.30	<u>Please give further details here</u> (please read guidance note 3)		
Wed	10.00	23.30			
Thur	10.00	23.30			
Fri	10.00	23.30	<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)		
Sat	10.00	23.30			
Sun	10.00	23.30			
			<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)		

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"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) MOBILE CATERING UNITS IN OPEN SPACES, HOSPITALITY, CATERING IN MARQUEES.		
Mon	23.00	23.30			
Tue	23.00	23.30			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	23.00	23.30			
Thur	23.00	23.30			
			<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)		
Fri	23.00	23.30			
Sat	23.00	23.30			
Sun	23.00	23.30			

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 checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10.00	23.00			
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00			
Fri	10.00	23.00			
Sat	10.00	23.00.			
Sun	10.00	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)		

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

Name DPS TO BE VARIED ONTO LICENCE AT A LATER DATE	
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)			State any seasonal variations (please read guidance note 4) PUBLIC OPEN SPACE
Day	Start	Finish	
Mon	0.00	0.00	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)
Tue	0.00	0.00	
Wed	0.00	0.00	
Thur	0.00	0.00	
Fri	0.00	0.00	
Sat	0.00	0.00	
Sun	0.00	0.00	

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)

PLEASE SEE ATTACHED

b) The prevention of crime and disorder

PLEASE SEE ATTACHED

c) Public safety

PLEASE SEE ATTACHED

d) The prevention of public nuisance

PLEASE SEE ATTACHED

e) The protection of children from harm

PLEASE SEE ATTACHED

General – All Four Licensing Objectives

1. The Events Section shall have regular and meetings with the emergency services and through the Public Safety Advisory Group, Torbay Council departments and other agencies to plan for and share information regarding each event, implementation, environmental issues and cleansing.
2. All events shall be planned taking into consideration the guidelines laid down in the HSE's Event Safety Guide.
3. Events shall be socially all inclusive and mainly family orientated.
4. Torbay Council shall work closely with All Agencies and private security with the aim to achieve a safe environment.
5. The event organiser or designated deputy must be on site at all times during the event.
6. The event organiser must inform the Emergency Services of the event.
7. Barriers must be used in accordance with event type and size for safety and crowd control.
8. There must be provision for the disabled.

Prevention of Crime and Disorder

1. The Council shall have regular meetings with the police regarding programme of events.
2. The Council shall have specific meetings with Police planning for individual events regarding police presence where necessary.
3. The Council shall have SIA registered private security contracted in as necessary, with appropriate levels of staffing and event.
4. The Council shall inform the operators of any CCTV of the event as necessary.
5. The Council shall have reference to previous year's events, levels of staffing adjusted according to results.
6. Events will be planned in accordance with HSE Guidance.
7. At all outdoor events all drinks shall be served in cans, polycarbonate or plastic glasses.
8. There shall be a designated control point for emergency services and council officers to liaise.

Public Safety

1. There shall be regular meetings with the Public Safety Advisory Group for programme of events.
2. There shall be specific meetings with emergency services for individual events.
3. There shall be adherence to HSE Event Safety Guide regarding first aid levels, police, security and public provision.
4. Events will be planned in accordance with HSE Guidance
5. There shall be production of all relevant documentation - risk assessment, fire risk assessment, evacuation plan, site maps, emergency procedures, communications list, Public Liability Insurance. to any authorised officer as requested.
6. There shall be consultation of the above with all emergency services, Queen's Harbour Master and coastguard where necessary, Torbay Council Environmental Health, Health and Safety Team.
7. There shall be maintaining of emergency access points, fire lanes and hydrants and must follow relevant codes of practice regarding: marquees, fireworks, laser shows and fire extinguishers.
8. There shall be suspension of vehicle movement on site during events.
9. There shall be consultation with building control regarding temporary structures, stages etc.
10. There shall be on site health and safety inspections where needed: fairs, circuses, fireworks.
11. Torbay Council will ensure that other event organisers meet and supply the information needed in the General Conditions of Hire for Recreation Land.
12. There shall be provision of toilets and catering facilities.
13. There shall be steward training and briefing.
14. There shall be lighting and emergency lighting on site where necessary.

The Prevention of Public Nuisance

1. Any planned event taking place the designated organiser shall contact the Senior Environmental Health Officer/Protection Officer within the Licensing and Public Protection Department. The following details in the form of written documentation shall be provided detailing the following:-

- a) Name, date and nature of event.
- b) Contact name and number of responsible person who will be present at event in the event of any complaints received.
- c) Proposed start/finish time of amplified entertainment and/or music.
- d) Detailed drawing plan of event, including where applicable information concerning stage location, speaker location etc.
- e) Where considered necessary by Environmental Protection, details shall be provided of expected noise levels and subsequent measures that shall be implemented throughout the event to monitor and control noise levels to prevent any public nuisance.
- f) Noise levels at events shall be agreed with Licensing and Public Protection and that these shall be adhered to.

2. The organiser shall liaise with Environmental Health regarding environmental regulations, noise levels. Council Officer if in attendance shall monitor noise level and have contact with stage control.

3. The sound pressure level of the event shall not exceed 100Db (A) Leg60sec for the duration of the event measured at a height of 2.5m 50m from the front of the stage (or at the delay tower/sound booth). A position shall be provided in the booth for Environmental health Staff to monitor the sound pressure level.

4. Sound checking shall be only carried out for a period of 1 hour at a time agreed with the Licensing and Public Protection Department.

5. Construction and deconstruction of the fencing, staged area and unit's ancillary to the event shall not be carried out between the hours of 23.00 and 08.00.

6. Post event litter arrangements shall be in place for litter picking and waste removal.

7. Silent generators shall only be used overnight.

8. Events shall have a wind down period to allow for public dispersal. Marshals/Stewards shall control and advise the public to leave the site quickly and quietly.

9. Traffic management plan shall be in place for all large events and events which incur road closures.

10. They shall work with Torbay Council's relevant department regarding the implementation of Traffic Management plans.

The Protection of Children from Harm

1. There shall be a lost children provision on site.
2. CRB checked staff shall deal with this provision.
3. A register must be made of all Marshals/Stewards working at the event including the organisers.
4. A uniform/tabard must be worn to identify Organiser/Marshals/Volunteers.
5. Public Open Spaces events shall be socially inclusive and family orientated.
6. Staff shall be trained to prevent sale of alcohol to under 18's – proof of age policy for any customer purchasing alcohol who looks under 21 years of age.
7. At large outdoor events, where alcohol is on sale, all children under the age of 16 must be accompanied by a parent or a responsible adult (18 years old or over).
8. The sale of Tobacco shall be prohibited at all events.

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Our ref: Lic/55186

Your ref:

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

Licensing Department East
Devon and Cornwall Constabulary
Force Headquarters
Middlemoor
Exeter EX2 7HQ

10th February 2012

Telephone: 01392 452225

RE: TORBAY COUNCIL – PAIGNTON GREEN, PAIGNTON

I refer to the application made by Torbay Council for the grant of a premises licence under Section 17 of the Licensing Act 2003.

The police make representations based on the grounds of the prevention of crime and disorder, public safety and protection of children from harm –Section P(general)(b)(c)and (e) of the application. When considering the licensed premises I am not satisfied that the ‘The prevention of crime and disorder’ objective has been fully addressed.

The police have met with the representative of the Torbay Council, Mr Conway Hoare and as a result of these discussions the police consider that the following conditions should be imposed on the licence in order to ensure that the Licensing objectives are met.

Section P(general)

1. Item 2 – All events shall be planned taking into consideration the guidance laid down in the HSE’s Event Safety Guide and managing crowd safely guidance.
2. Item 5 - An EMP (Event Management Plan) will identify the Safety Officer or deputy who must be on site at all times during the event.
3. Item 6 - The event organizer must inform the Emergency Services of the event and identify role and responsibilities of individuals working the event in conjunction with the EMP..

Additional item -

4. The event organisers will provide the members of the PSAG (Public Safety Advisory Group) with a copy of the Event Management Plan draft and final version within agreed time scales set by the Premises Licence Holder.

Section P(b)

1. Item 2 – The council shall have specific meetings with police, planning for individual events where necessary in accordance with the EMP.
2. Item 3 - Where individuals are required to carry out licensable security activities under the Private Security Industry Act 2001 they must be licensed by the Security Industry Authorities. Appropriate numbers of SIA / stewards will be engaged as required for the event as per the EMP.
3. Item 6 - Events will be planned in accordance with HSE Guidance for events and Managing Crowds Safely Guidance.
4. Item 7 – At all outdoor events all drinks shall be served in cans, polycarbonate or plastic glasses and an amnesty bin with relevant signage will be placed at the entrance to allow public to discard or place any seized items.

Additional item –

5. The EMP (Event Management Plan) will provide the following:-
 - a) Terms and condition of entry to be published on tickets and promoters website
 - b) Drugs policy
 - c) Alcohol Management Plan
 - d) Searching and entry policy and procedures
6. Depending on the nature and type of event a no re-entry policy will be agreed by the PLH in consultation with the event organiser.
7. Where it is agreed with the PLH that Special Police Services are required, the PLH in consultation with the organiser must make appropriate arrangements with Devon and Cornwall Constabulary for special police services, necessary equipment and other related items on the licensed site during the period of the event for securing the safety of persons present.

Section P(c)

1. Item 4 - Events will be planned in accordance with HSE Guidance for events and Managing Crowds Safely Guidance.

Section P(e)

1. Item 3 – A register must be made of all Security /Marshals and stewards working the event including the organizers in accordance with the EMP
2. Item 5 - Public open space events shall be socially inclusive and mainly family orientated.

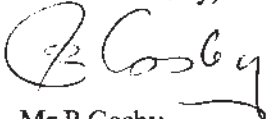
3. Item 6 – Staff shall be trained to prevent sale of alcohol to under 18's – proof of age policy for any customer purchasing alcohol who looks under 21 years of age and predominately display notices.

Additional item –

4. Parents and guardians will be advised to instruct children to contact Security, Stewards, Police or first aiders if they become separated and staff will be briefed with the protocol for appropriately escorting and caring for children until they are reunited with parents/guardians.

Having heard your response to our amendments to the Licence, perhaps you may wish to seek further advice from the Council in order to consider your response.

Yours faithfully,



Mr P Cosby
Licensing Department East
Devon and Cornwall Constabulary
Force Headquarters
Middlemoor
Exeter

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