



Wednesday, 1 June 2016

LICENSING SUB-COMMITTEE

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

Thursday, 9 June 2016

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 Stocks

Councillor Thomas (J)

Councillor Tolchard

A prosperous and healthy Torbay

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

Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207087

Email: governance.support@torbay.gov.uk

www.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 3 - 5)
To confirm as a correct record the Minutes of the meeting of a Licensing Sub-Committee held on 12 May 2016.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **An application for a Premises Licence in respect of Ryders, 17 The Strand, Torquay, TQ1 2AA** (Pages 6 - 31)
To consider an application for a Premises Licence in respect of Ryders, 17 The Strand, Torquay.



Minutes of the Licensing Sub-Committee

12 May 2016

-: Present :-

Councillors Stocks, Thomas (D) and Thomas (J)

1. Election of Chairman/woman

Councillor Thomas (J) was elected as Chairman for the meeting.

2. Minutes

The Minutes of the meeting of the Sub-Committee held on 21 April 2016 were confirmed as a correct record and signed by the Chairman.

3. An application for a Variation to a Premises Licence in respect of Lime Tree, 9-11 Dartmouth Road, Paignton TQ4 5AA

Members considered a report on an application for a Variation to a Premises Licence in respect of The Lime Tree, 9-11 Dartmouth Road, Paignton.

Written Representations received from:

Name	Details	Date of Representation
Police	Letter of representation objecting to the application for a variation to a Premises Licence on the grounds of 'The Prevention of Crime and Disorder' and 'The Prevention of Public Nuisance'.	5 April 2016
Public Protection	Letter of representation objecting to the application for a variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance'.	8 April 2016

Additional Information:

Prior to the hearing additional information from the Applicants Representative and Public Protection was circulated to Members.

The Chairman had received a request from the Public Protection Representative to allow 15 minutes for Oral Representations.

The Chairman permitted the extension of time for Oral Representations and advised that each party would be permitted 15 minutes to make their representation.

Oral Representations received from:

Name	Details
Applicant's Legal Representative	The Applicant's Legal Representative outlined the application and responded to Members questions.
Police Representative	The Police Representative outlined their objection to the application and responded to Members questions.
Public Protection Officer	The Public Protection Officer outlined their objection to the application and responded to Members questions.

Applicant's response to Representations:

At the request of the Senior Solicitor to the Licensing Sub-Committee a copy of the Noise Management Plan was available for Members consideration during their deliberation.

Decision:

That the application for a Variation to a Premises Licence in respect of Lime Tree, 9-11 Dartmouth Road, Paignton be refused.

Reason for Decision:

Having carefully considered all the written and oral representations, Members resolved to refuse the application, having initially been satisfied that the conditions put forward by the Police and agreed in principal by the Applicant would be sufficient to promote The Prevention of Crime and Disorder Licensing Objective.

The decision to refuse the application overall is as a direct result of these premises being in such close proximity to residential areas and despite being led to believe by the Applicant's Legal Representative that there was a draft Noise Management Policy in place which turned out only to be a blank template, Members could not after lengthy deliberation on the evidence before them be satisfied that the granting of this Variation would not have a negative impact on The Prevention of Public Nuisance Licensing Objective.

In coming to this decision, Members had regard to the apparent lack of appropriate consideration by the Applicant before submitting their application for a 04.00 licence with a closing time of 04.30 and the impact the premises operation may have on residents living in the area and its adjoining streets being used by Patrons to exit the area in which the premises is located: being presumed by the Applicant that the current conditions would be acceptable, the absence of a said Policy, the fabric of the building which on the submission of the Senior Environmental Health Officer did not lend itself to be a live music venue, the windows to the building being single glazed, noise coming from Patrons using the smoking area until 04:30 with no clear delineation or number limitation to assist in its management and the overall absence of any additional conditions which may have alleviated or

prevented The Prevention of Public Nuisance Licensing Objective from being undermined.

Members noted that the premises currently held a 02:00 licence without noise complaint since August 2014 but on the submissions put forward by the Applicants Legal Representative: that the premises capacity was never realised and the premises had been closed due to the refurbishment, Members were concerned that if a 4:00 licence was granted as applied for, the premises proposed operations would increase patrons number and with it a serious risk of noise nuisance to nearby residents. In coming to that opinion, Members noted the Responsible Authorities representations that premises operating a 02:00 licence to that of a 04:00 licence were very different and required additional measures to ensure that the Licensing Objectives were promoted.

Members were concerned that the Applicant's Legal Representative sought to orally amend their application throughout the hearing, following written and oral representations being made by the Responsible Authorities. Whilst they noted that this was permissible, it did not in their opinion represent a responsible Premises Licence Holder who had given due consideration as to the potential impact a 04:00 licence would have. In addition, Members noted that the majority of the measures proposed by the Applicant's Legal Representative to address any concerns of noise emanating from these premises would need to be agreed and arranged subsequent to the application being granted. As such, they could not be satisfied what the final measures would be and whether in their mind they would promote the Licensing Objectives.

Members resolved that failure by the Applicant to consult with the Responsible Authorities before submitting their application, despite this being strongly advised to do so as set out in the Council's Licensing Statement of Principles Policy 2016-2021, had led to this application being amended in such a way which was unhelpful to all parties and had prohibited appropriate consideration of the measures now being proposed.

Chairman/woman

Agenda Item 6



Briefing Report
No:

Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Premises Licence in respect of Ryders, 17 The Strand, Torquay TQ1 2AA**

Wards Affected: **Tormohun**

To: **Licensing Sub Committee** **9 June 2016**

Contact Officer: **Mandy Guy**
Telephone: **01803 208293**
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. The Premise is situated within the Cumulative Impact Area.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 The matters raised relate to the Licensing Objectives “The Protection of Children from Harm”.
- 1.4 The matter must be considered on its merits having received details of the issues arising either at a hearing or by written Representation 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.

- 1.5 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:

The provision of Films from 10.00 until 03.00 seven days a week.

The provision of Live Music from 10.00 until 01.00 seven days a week.

The provision of Recorded Music from 10.00 until 03.00 seven days a week.

The provision of Performances of Dance from 10.00 until 03.00 seven days a week.

The provision of anything of a similar description to Live Music, Recorded Music or Performances of Dance from 10.00 until 03.00 seven days a week.

Late Night Refreshment from 23.00 until 03.00 seven days a week.

The Supply of Alcohol from 10.00 until 02.30 seven days a week both on and off the premises.

To be open to the public from 10:00 until 03.00 7 days a week.

There is also a request for an additional hour on all the above activities on the day that British Summertime commences.

This application states in Section 16 that there will be nudity on respect of exotic dancing, in licensed areas only.

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

We have received a Representation from Child Protection in relation to the licensing objectives "The Protection of Children from Harm". This is shown as Appendix 2.

There have been no additional Representations received from any other Responsible Authority or any 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 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
Assistant Director of Community and Customer Services

Appendices

Appendix 1 Details of the application.

Appendix 2 Representation from Child Protection.

Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2016.



Torbay
Application for a premises licence
Licensing Act 2003

TORBAY COUNCIL

For help contact
<https://forms.torbay.gov.uk/ContactLicenseTrading>

Telephone: 01803 208025

21 APR 2013

COMMUNITY SAFETY

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Ryders

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Ashley

* Family name

Sims

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House?

Yes No

* Registration number

09947976

* Business name

Harbourside Leisure Limited

If your business is registered, use its registered name.

* VAT number

- None

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

* Legal status

Private Limited Company

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

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

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

First floor Gentleman's Club. Providing sale of alcohol and adult entertainment. SEV license in the application process also

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Start

End

Will the exhibition of films take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

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

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

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

An additional hour on the day that British Summer Time commences.

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

TUESDAY

Start 10:00

End 01:00

Start

End

WEDNESDAY

Start 10:00

End 01:00

Start

End

THURSDAY

Start 10:00

End 01:00

Start

End

FRIDAY

Start 10:00

End 01:00

Start

End

SATURDAY

Start 10:00

End 01:00

Start

End

SUNDAY

Start 10:00

End 01:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music will be amplified. Performances shall only be on the stage at the rear of the premises and at a volume which does not disturb outside of the premises.

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

Continued from previous page...

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

An additional hour on the day that British Summer Time commences.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

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WEDNESDAY

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THURSDAY

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End

FRIDAY

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End

SATURDAY

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SUNDAY

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End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Continued from previous page...

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Recorded music shall be played through an amplified sound system. Music shall be at a volume which does not disturb outside of the premises.

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

An additional hour on the day that British Summer Time commences.

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

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Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 10:00

End 03:00

Start

End

SATURDAY

Start 10:00

End 03:00

Start

End

SUNDAY

Start 10:00

End 03:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

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

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

An additional hour on the day that British Summer Time commences.

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not
exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for entertainment

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

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

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

An additional hour on the day that British Summer Time commences.

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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Continued from previous page...

SATURDAY

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SUNDAY

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Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

An additional hour on the day that British Summer Time commences.

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:00

End 03:00 02:30

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start 10:00

End 03:00 02:30

Start

End

WEDNESDAY

Start 10:00

End 03:00 02:30

Start

End

THURSDAY

Start 10:00

End 03:00 02:30

Start

End

FRIDAY

Start 10:00

End 03:00 02:30

Start

End

SATURDAY

Start 10:00

End 03:00 02:30

Start

End

SUNDAY

Start 10:00

End 03:00 02:30

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

Continued from previous page...

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Nudity in respect of exotic dancing, in licensed areas only.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

State any seasonal variations

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

Continued from previous page...

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

An additional hour on the day that British Summer Time commences.

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Continued from previous page...

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

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

An additional hour on the day that British Summer Time commences.

Section 18 of 19

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The Regulatory Reform (Fire Safety) Order shall be adhered to at all times.

b) The prevention of crime and disorder

A CCTV system, capable of providing images of an evidential standard in all lighting conditions, particularly with regard to facial recognition, shall operate throughout the times the premises are open to the public, with monitors behind all bars and a recording system. All recordings shall be kept for a minimum of 14 days and copies of recordings shall be supplied to the police within 7 days of any request.

Any identified defect in the CCTV system shall be logged at the premises and remedied as soon as reasonably practical. The Police Licensing Officer or Police Licensing Team shall be notified by email of all defects, the action required to rectify the situation and the time frame for such action within 24 hours of the defect being identified.

On any Thursday, Friday, Saturday and Sunday nights that the premises remain open for the sale of alcohol after midnight and then closes after 0030 hrs, SIA door supervisors shall be employed on the premises from 2200 hrs until 30 minutes after the premises close, at a ratio of 2 stewards for the first 100 persons and one additional steward for each 100 persons thereafter. The Premises Licence Holder shall also carry out a risk assessment taking the layout of the premises and the proposed activity to be carried out into consideration to determine whether any additional stewards are required. (This condition shall also apply on Christmas Eve and New Years Eve when they do not fall on a Thursday, Friday, Saturday or Sunday). On all other occasions, the Premises Licence Holder shall risk assess the requirement for door supervisors and employ such door supervisors, if at all, in such numbers and at such times determined by that risk assessment.

On every operational day that SIA door supervisors are required, then those stewards who are employed for front of house duties must wear yellow high visibility jackets for the entirety of their duty.

There must be no entry/re-entry to the premises after 0200 hrs.

Continued from previous page...

The premises shall join the Nitenet Radio System and actively participate in this initiative.

Any persons employed at the premises in the sale and supply of alcohol, shall attend and successfully complete the BIIAB Level 1 Award in Responsible Alcohol Retailing within 2 months of commencing employment.

The DPS must hold or complete the BIIAB National Certificate for Designated Premises Supervisors within 2 months of commencing employment at the premises.

A record of all staff training, including copies of all relevant BIIAB Certificates, shall be kept at the premises for a minimum period of 12 months and be available to the police or Local Authority Licensing Officers for inspection on demand.

A Personal Licence Holder shall be on duty at all times the premises sell or supply alcohol.

Notices regarding the refusal of sale of alcohol to persons, who appear drunk, shall be prominently displayed at all points of sale and supply of alcohol, for the attention of persons so employed.

Notices regarding the refusal of sale of alcohol to persons, who appear drunk, shall be prominently displayed at all points of sale on each floor of the premises and at the entrance to the premises, for the attention of all customers.

The DPS shall ensure that an Incident Book is kept on the premises and that all incidents are recorded therein on a daily basis. This record shall include the full names of all persons involved, if possible or practical to do so. The Incident Book shall be made available for inspection by a police officer, a police licensing officer or Officers of the local authority on demand, and such records shall be kept at the premises for a minimum of 12 months.

The premises shall maintain a Refusals Log and record all reasons for refusing entry, and where practical, record details of all persons refused entry. This record shall be made available for inspection by a police officer, a police licensing officer or Officers of the local authority on demand, and such records shall be kept at the premises for a minimum of 12 months.

The Premises Licence Holder will ensure that the DPS or other nominated person shall attend at least two meetings of the Torquay Licensing Forum per calendar year, together with any other meetings arranged by the police in respect of high risk events.

All drinks shall be served in shatterproof glasses or plastic/polycarbonate vessels and no alcohol shall be served in glass bottles after 2300 hrs from which it is intended or likely that a person shall drink.

The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs. A copy of this policy shall be retained on the premises and shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand.

The consumption of alcohol in the Pavement Cafe Permit area (if applicable) shall be restricted to the times indicated within the Permit and in compliance with all the terms and conditions specified therein.

Continued from previous page...

c) Public safety

Free drinking water shall be available at all times.

When disabled people are present, adequate arrangements shall exist to enable their safe evacuation in the event of an emergency. Review and assessment of accessibility in line with the Disability Discrimination Act shall be complete and kept on the premises.

The licensees shall ensure that at all times there are adequate first aid arrangements. The arrangements for first aid provision include a first aid box, an adequate and appropriate supply of first aid equipment and materials to be used by patrons. Suitable protective equipment shall be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures shall be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable diseases.

Means of addressing patrons during operating hours, which must be heard about entertainment, or as a means of interrupting the entertainment and making important safety announcements shall be available.

CCTV must be in operation areas not visible from the bar.

A safe capacity of the whole premises and each floor of the premises shall be maintained at all times. Such capacities to be agreed with the Fire Authority.

d) The prevention of public nuisance

Noise from licensable entertainment shall not be distinguishable from the ambient noise on the street 10 meters or more from the premises. This shall be assessed from the street. However, should a complaint from a resident in the area be made steps shall be taken to ensure that noise breakout is reduced to a level agreed with the Local Authority and the residents.

All regulated music should be played through a noise limiter which is to be set at a reasonable level as agreed with the local responsible authority for public nuisance; this is to be independently calibrated and copies of reports forwarded to the responsible authority for public nuisance within 21 days of any recalibration. It shall be sealed in a tamper proof box and adjustments shall only be made with the written permission of the responsible authority for public nuisance.

Performances of Live music must be staged at the rear of the building.

All doors and windows must be kept closed after 23.00. A written management scheme shall be in place to ensure this situation remains.

No changes that increase the level of volume to the Public Address system shall be made without prior consultation with the local Environmental Health Department; this includes moving of speakers, addition or removal of any equipment and the use of guest acts/DJ's own equipment.

Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment.

Lobbies shall be constructed and operated in such a way to ensure that if regulated entertainment is being played inside the premises, only one door shall be opened at any one time to prevent noise breakout. These doors shall be fitted with automatic closers.

Where any proposed structural changes are made to the premises, agreement must be reached with the Environmental Health Department that these works will not increase noise breakout before the works are commenced.

Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties.

There shall be no exterior sited speakers or speakers in doorways and lobbies.

Continued from previous page...

Suitable signage at exits requesting that patrons make as little noise as possible when leaving the premises shall be displayed.

Patrons shall be asked not to stand around in the street outside the premises and shall be asked to leave quickly and quietly.

Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.

Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

Deliveries of goods shall be restricted to hours between 08.00 and 17.00 hours.

The handling of beer kegs, bottles and similar items shall not take place in the late evening, during the early morning when the noise generated could cause a nuisance particularly outside buildings.

Skips and bins containing cans or bottles shall not be emptied after the premises close but shall be dealt with the next day during office hours.

The movement of bins and rubbish outside the premises shall be kept to a minimum after 17.00hrs.

All rubbish produced by the premises shall be stored securely in the designated area or in a bin with a tight fitting lid - to prevent litter being blown around.

e) The protection of children from harm

The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification as outlined within the Torbay Councils Licensing Statement of Principles.

No persons under the age of 18 years shall be permitted in the premises after 2200 hrs. Any under 18's allowed entry to the premises before this time must be accompanied by a responsible adult and shall be required to vacate the premises at 2200 hrs; unless on the premises solely for the purpose of fitness classes, and outside of club operating hours.

The premises shall display clear signage which states when persons under 18 years are permitted on the premises.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

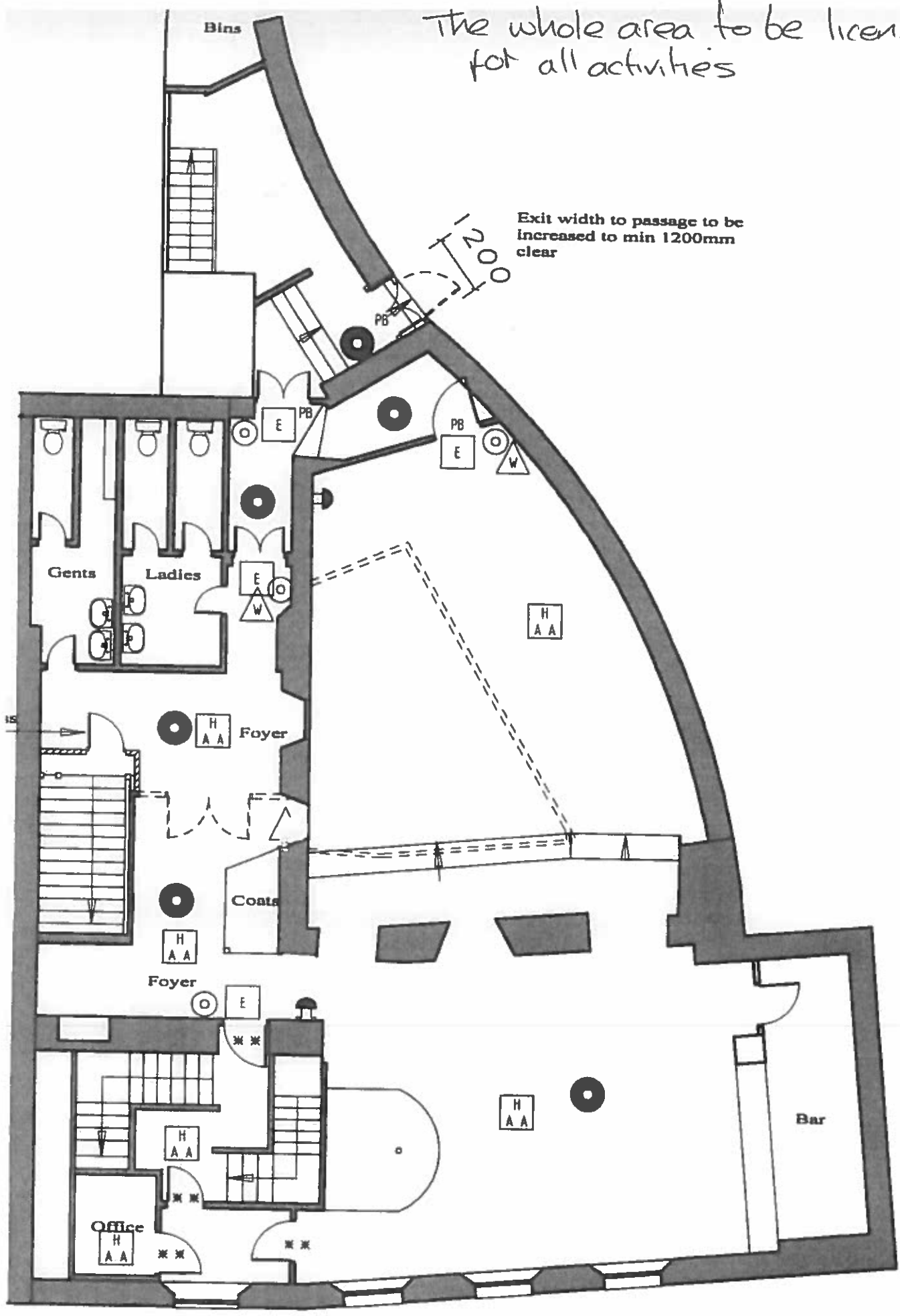
Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls,

The whole area to be licensed for all activities



Exit width to passage to be increased to min 1200mm clear

Memorandum

To: Licensing Team	From	: Safeguarding and Reviewing Service
c.c	Contact	: Lisa Jennings
c.c.	Ext	: 207185
c.c	My Ref	:
For the attention of: Licensing	Your Ref	:
	Date	: 13 05 2016

Subject: Application for: New Premises Licence

Premises Name and Address: Ryders

- a) I have no comments to make on the above application
- b) The application does not meet the following licensing objectives:
 - i) Prevention of crime and disorder
 - ii) Protection of children from harm
 - iii) Public safety
 - iv) Prevention of nuisance

because:- (please list those aspects of the application or variation that give you reason for concern and why you have these concerns).

The application as it stands allows for under 18s to be on the premises. The premises is offering adult entertainment which would not be considered suitable for under 18s.

Having spoken to the applicant they have agreed to the following re-wording under e; the protection of children from harm:

The removal of the proposed conditions to be replaced with:

1. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification as outlined within the Torbay Councils Licensing Statement of Principles.
2. No persons under the age of 18 years shall be permitted on the premises.

Signed:



Date: 13.05.2016