



Wednesday, 1 February 2017

## **LICENSING SUB-COMMITTEE**

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

**Thursday, 9 February 2017**

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 Barnby

Councillor Stocks

Councillor Thomas (J)

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**A prosperous and healthy Torbay**

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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](mailto:governance.support@torbay.gov.uk)

[www.torbay.gov.uk](http://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 4 - 9)  
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 5 January 2017 and 19 January 2017.
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. **Exclusion of the Press and Public for Item 7**  
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) is likely to be disclosed.
7. **Determination of an Application for the Grant of a Dual Hackney Carriage and Private Hire Drivers' Licence** (Pages 10 - 16)  
To consider an exempt report on the above.

8. **Urban Edge Coffee, 54 Victoria Street, Paignton TQ4 5DS**  
To consider an application for a Variation to Premises Licence in respect of Urban Edge Coffee, 54 Victoria Street, Paignton.

(Pages 17 - 36)



## Minutes of the Licensing Sub-Committee

5 January 2017

-: Present :-

Councillors Ellery, Stubley and Thomas (J)

### 15. Election of Chairman/woman

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

### 16. Tiger Lills, 3 Victoria Parade, Torquay

Members considered a report on an application for a Variation to a Premises Licence in respect of Tiger Lills, 3 Victoria Parade, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation objecting to the application on the grounds of 'The Prevention of Crime and Disorder' and 'The Protection of Children from Harm'.	30 November 2016
Safeguarding and Reviewing Service	Representation seeking an additional condition be added to the Licence, if granted in order to up hold the Licensing Objective 'The Protection of Children from Harm'.	2 December 2016

Additional Information:

At the Hearing the Applicant circulated a copy of the 'Age Verification Policy Staff Declaration'.

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined his application and responded to Members questions.
Police Representative	The Police Representative outlined their objection to the application and responded to Members questions.

Decision:

That the application for a Variation to a Premises Licence in respect of Tiger Lills, 3 Victoria Parade, Torquay be granted as applied for, subject to the following conditions:

- i) Where the premises sells alcohol after midnight, there shall be two SIA Registered Door Stewards located at the entrance to the premises (reducing to one for the proximity of time needed to respond to any incident arising inside the premises) and one floating SIA Registered Door Steward within the premises from midnight until closing;

To replace condition 3 under the Heading 'Crime and disorder' on page 14 of the submitted Report:

- ii) The level of amplified music shall be reduced by 50% of the agreed level set by the noise limiter at 1.30 am until closing, seven days a week.
- iii) That the Premises License Holder shall in consultation with the Police have in place a written drugs Policy;
- iv) All staff in the premises selling alcohol after midnight shall be trained and hold, within 3 months of the commencement of their employment, a BIIAB Level 1 Award in Responsible Alcohol Retailing.
- v) No under 18s shall be permitted on the premises after 2100hrs, unless they are consuming a table meal in the company of a responsible adult in which case they can remain until 22.00hrs.

Having considered the new premises licence plan, Members resolved to remove the ladies and gents toilets on the lower ground floor from being a licenced area following the submission of the Premises Licence Holder that this had been applied for in error.

Reason for Decision:

Having carefully considered all the oral and written representations, Members resolved to grant this application having recognised the Applicants willingness at the hearing to adopt further conditions to ensure that the Licensing Objectives would be promoted.

Members were also satisfied that the additional conditions would strengthen the application to ensure that the premises would not add to Public Nuisance or Crime and Disorder in the area and that in doing so, should alleviate the concerns raised by the Police.

Members were further reassured that the additional condition regarding the ratio of SIA Registered Door Stewards would enable any incidents arising inside the premises to be responded to without compromising the condition relating to underage access.

In concluding, Members noted that there were no objections in respect of this application from any Interested Party, in particular nearby residents and the Licensing Authority's Public Protection Department.

Should issues arise as a result of this grant, then a Review of the premises licence can be sought by any Responsible Authority or any Interested Party.

Chairman/woman

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**Minutes of the Licensing Sub-Committee**

19 January 2017

**-: Present :-**

Councillors Brooks, Stocks and Doggett

**1. Election of Chairman/woman**

Councillor Doggett was elected as Chairman for the meeting.

**2. Apologies**

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Doggett instead of Councillor Thomas (J).

**3. Minutes**

The Minutes of the meeting of the Sub-Committee held on 3 November 2016 were confirmed as a correct record and signed by the Chairman.

**4. An application for Premises Licence in respect of The Waddling Duck, 35 Ilsham Road, Torquay TQ1 2JG**

Members considered a report on an application for a Premises Licence in respect of The Waddling Duck, 35 Ilsham Road, Torquay.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation suggesting conditions should the application be granted.	19 December 2016
Applicant	Representation agreeing to the conditions suggested by the Police.	16 December 2016

Additional Information:

At the Hearing the Senior Licensing Officer confirmed that upon receipt of the representation from the Police, she had sought verbal confirmation from the applicant that they were in agreement with the conditions suggested by the Police.

Oral Representations received from:

Name	Details
Applicant	The applicant clarified access to the rear garden area.

Decision:

That the application for a Premises Licence in respect of the Waddling Duck, 35 Ilsham Road, Torquay be granted as applied for, subject to the additional conditions proposed by the Police, as agreed by the applicant, and subject to the following two additional conditions:

- i) That the use of the rear garden shall have no more than 30 persons in the premises garden at any one time during operating hours; and
- ii) No patrons shall be permitted to use the premises garden after 8 pm

Reason for Decision:

Having carefully considered all the written and oral representations, Members resolved to grant the licence having been satisfied that the additional conditions would promote the licensing objectives and seek to alleviate the concerns raised by the Police and address concerns regarding the use of the premises garden.

In concluding, Members noted there were no representations in respect of this application from any residents or any other Responsible Authority other than the Police.

**5. An application for a Premises Licence in respect of Revolution, Winter Garden, Fleet Walk, Torquay TQ2 5DZ**

Members considered a report on an application for a Premises Licence in respect of Revolution, Winter Garden, Fleet Walk, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation advising that they are satisfied that should the application be granted the premises would not impact upon the licensing objectives and suggested one additional condition.	19 December 2016
Applicant	Representation agreeing to the conditions suggested by the Police.	16 December 2016



Additional Information:

At the Hearing the Senior Licensing Officer confirmed that upon receipt of the representation from the Police, she had sought verbal confirmation from the applicant that they were in agreement with the condition suggested by the Police.

Decision:

That the application for a Premises Licence in respect of Revolution, Winter Garden, Fleet Walk, Torquay be granted as applied for, subject to the additional condition proposed by the Police and as agreed by the applicant.

Reason for Decision:

Having carefully considered all the written and oral representations, Members resolved to grant the licence having been satisfied that the pre consultation enquiries made with the responsible authorities and subsequent actions demonstrated that of a responsible Premises Licence Holder. In considering the conditions put forward in the operating schedule and the additional condition proposed by the police, Members were satisfied that the application would seek to promote the licensing objectives and in their opinion, would not add to crime and disorder and/or public nuisance in the cumulative impact area.

In concluding, Members noted there were no representations in respect of this application from any residents or any other Responsible Authority other than the Police.

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Chairman/woman

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted



Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Urban Edge Coffee, 54 Victoria Street, Paignton TQ4 5DS**

Wards Affected: **Roundham with Hyde**

To: **Licensing Sub-Committee**                      On: **9 February 2017**

Contact Officer: **Mandy Guy**  
☎ Telephone: **01803 208025**  
✉ E.mail: **Licensing@torbay.gov.uk**

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## 1. Key points and Summary

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a Variation to a Premises Licence.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 The matters raised relate to the Licensing Objective “The Protection of Children from Harm”.
- 1.4 The matter must be considered on its own merits having received details of the issues arising either at a hearing or by written Representations if all parties have agreed that a hearing is not necessary. Having regard to the Representations and issues arising, a decision must be made to take such steps as are necessary for the promotion of the licensing objectives. These are either:-
  - (a) to modify the conditions of the licence, or
  - (b) reject the application in whole or in part.

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

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

*forward thinking, people orientated, adaptable - always with integrity.*

## **2. Introduction**

- 2.1 An application has been made under Section 34 of the Act for a Variation to a Premises Licence. Details of the application are shown in Appendix 1. Only the relevant pages of the application are shown.

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

To add the Provision of Late Night Refreshment from 23.30 until midnight seven days a week.

To allow the Supply of Alcohol from 08.00 until 23.00 seven days a week. The existing licence allows for the Supply of Alcohol from 08.00 until 20.00 Monday to Saturday and on Sunday from 10.00 until 20.00.

To be open from 08.00 until midnight Monday to Saturday and from 10.00 until midnight on Sunday. The existing licence allows them to be open from 08.00 until 20.30 Monday to Saturday and from 10.00 until 20.30 on Sunday.

- 2.2 A copy of the current premises licence showing the licensable activities, timings, conditions and the plan of the premise is shown at Appendix 2 of this report.
- 2.3 Torbay Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 35(1) but is unable to issue the variation to the Premises Licence, as relevant Representation has been received from a Responsible Authority. The Licensing Authority is also satisfied that the Representation was 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 Objective "The Protection of Children from Harm". This is shown as Appendix 3 of this report.

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

We have received an email from the Applicant agreeing to the 3 additional conditions proposed by Child Protection. This is shown as Appendix 4.

- 2.4 The Authority is required to conduct a hearing by the provisions of Section 35(3) unless all parties agree that this is not necessary.
- 2.5 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representations and the procedure to be followed at the hearing.
- 2.6 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.
- 2.7 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 4(2) of Schedule 5 to :-

- (a) The applicant for the variation of the licence against any decision to modify the conditions
- (b) Any person who made a relevant representation in relation to the application who desires to contend
  - (i) that any variation made ought not to have been made, or
  - (ii) that, when varying the licence, the Licensing Authority ought to have modified the conditions of the licence or ought to have modified them in a different way.

2.8 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 (Community and Customer Services)**

### **Appendices**

Appendix 1	Relevant sections of the application form
Appendix 2	Copy of the current Premises Licence and Plan
Appendix 3	Representation from the Child Protection
Appendix 4	Email from Applicant agreeing to proposed conditions from Child Protection.

### **Documents available in members' rooms**

None

### **Background Papers:**

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

The current Premises Licence for the above Premise.  
Torbay Council Licensing Policy 2016-2021.



**Torbay**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
<https://forms.torbay.gov.uk/ContactLicenseTrading>  
Telephone: 01803 208025

\* required information

## Section 1 of 17

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

Your reference  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

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

VAT number

Legal status

If your business is registered, use its registered name.  
Put "none" if you are not registered for VAT.

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 17**

**APPLICATION DETAILS**

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

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

\* Premises Licence Number

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

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

26,000

### Section 3 of 17

#### VARIATION

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

Yes

No

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

Yes

No

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

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

#### Describe Briefly The Nature Of The Proposed Variation

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

To open evenings to serve food and alcohol

### Section 4 of 17

#### PROVISION OF PLAYS

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

Yes

No

### Section 5 of 17

#### PROVISION OF FILMS

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

Yes

No

### Section 6 of 17

#### PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?



Continued from previous page...

Yes

No

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

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

Yes

No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

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

Yes

No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes

No

**Section 11 of 17**

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

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

Yes

No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

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

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start 23:00

End 00:00

Start

End

WEDNESDAY

Start 23:00

End 00:00

Start

End

THURSDAY

Start 23:00

End 00:00

Start

End

FRIDAY

Start 23:00

End 00:00

Start

End

SATURDAY

Start 23:00

End 00:00

Start

End

SUNDAY

Start 23:00

End 00:00

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 select 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.

Supply of hot drinks.  
background music only

State any seasonal variations.

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

one

Continued from previous page...

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

None

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

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

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Continued from previous page...

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.

Empty box for seasonal variations.

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

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

Empty box for non-standard timings.

Section 14 of 17

ADULT ENTERTAINMENT

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

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

None

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start 08:00

End 00:00

Start

End

TUESDAY

Start 08:00

End 00:00

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

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

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

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

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

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

**Section 16 of 17**

**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.

As existing

b) The prevention of crime and disorder

As existing

c) Public safety

As existing

d) The prevention of public nuisance

As existing

e) The protection of children from harm

As existing

**Section 17 of 17**

**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.

Variation 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](http://www.voa.gov.uk/business_rates/index.htm)

Licensing Act 2003  
**Premises Licence**

**1095**

LOCAL AUTHORITY



**Torbay Council**  
Licensing & Public Protection  
c/o Town Hall  
Castle Circus  
Torquay  
TQ1 3DR



Part 1 - Premises Details

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

**Urban Edge Coffee**

54 Victoria Street, Paignton, Devon, TQ4 5DS.

Telephone 01803 521700

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Saturday	8:00am	8:00pm
	Sunday	10:00am	8:00pm

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	8:00am	8:30pm
Sunday	10:00am	8:30pm

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

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

Part 2

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

Triangle Catering Limited  
[urbanedgecoffee@gmail.com](mailto:urbanedgecoffee@gmail.com)

QS 0536, Barton Hill Road, Torquay, Devon, TQ2 8JH.  
Telephone 01803 521700

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

Triangle Catering Limited

09945803



Licensing Act 2003  
**Premises Licence**

**1095**

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

Eileen Catherina PICKFORD

The Lodge, Holmwood, Lincombe Drive, Torquay, Devon, TQ1 2LP.  
Telephone 01803 380551

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. PA1712

Issued by Torbay

*Stephen Cox*

Steve Cox  
Environmental Health Manager  
17 June 2016





**ANNEXES**

**ANNEXE 1**

**MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL**

- 1) No supply of alcohol may be made under the premises licence:-
  - (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3) (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
- 6) The responsible person must ensure that:-
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is



**ANNEXES continued ...**

available to customers in the following measures:-

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

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

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

**Minimum Drinks Pricing**

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

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

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

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

Where:-

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

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

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

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

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

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

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

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

**ANNEXE 2**

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

**General**

- 1. All staff shall be well trained; staff shall be advised, in writing, of the licensing laws before they are allowed to serve alcohol.
- 2. Key staff shall gain the formal qualifications required to hold a personal licence by attending a BII approved course.
- 3. Training records shall be kept and will be available for inspection by the local licensing authority.

**ANNEXES continued ...**

**The prevention of crime and disorder**

1. Staff shall attend daily briefings to establish awareness of any problems and their remedial actions.
2. There shall be a daily rota for supervising the toilet area of the premises.
3. All staff shall receive drug awareness training.

**Public safety**

1. There shall be a person on the premises during opening hours who is trained and qualified in First Aid.
2. The premises shall have First Aid boxes available and maintained with sufficient in-date stock.
3. All accidents shall be recorded in an accident book.
4. The premises shall carry out a full risk assessment taking into account public safety of customers and staff.
5. The premises shall have a written policy for dealing with accidents and emergencies.
6. The premises shall carry out regular fire drills.

**The prevention of public nuisance**

1. All deliveries shall take place between 08:00 and 18:00 on Monday to Friday.
2. Staff shall be trained to be vigilant for any street litter caused by the outside seating area.

**The protection of children from harm**

1. The premises shall operate a Challenge 25 scheme with a strict no ID no sale policy.

**ANNEXE 3**

**CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None

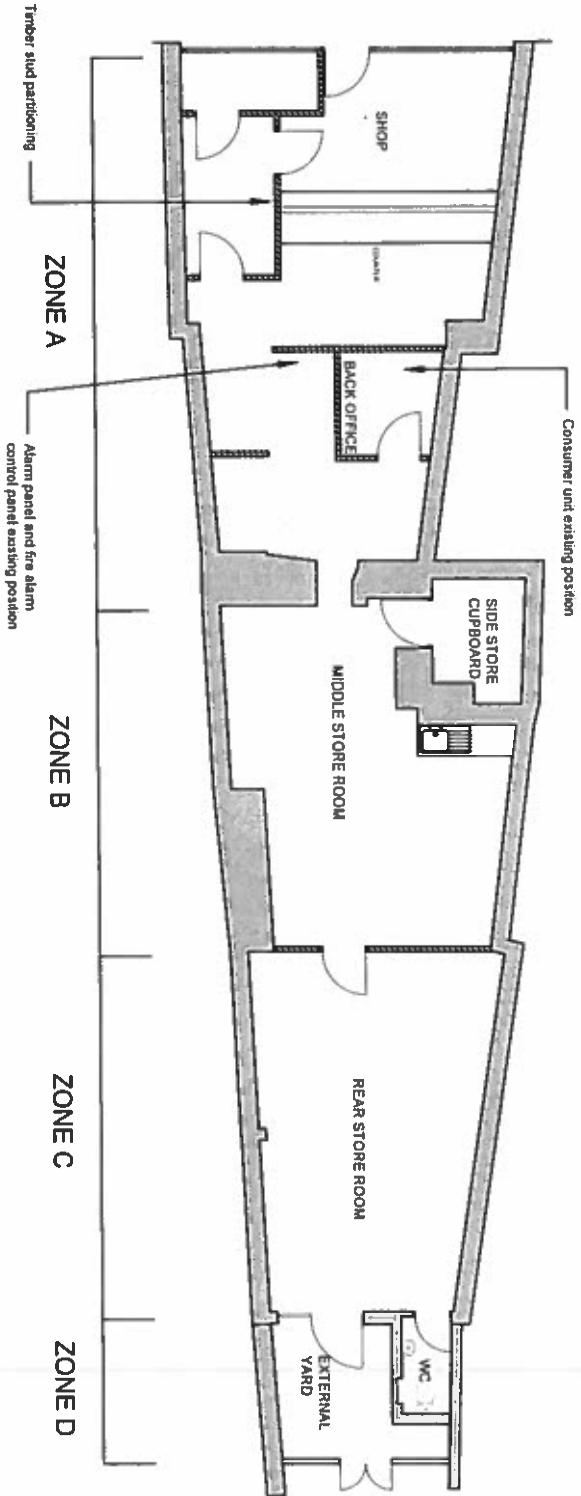
**ANNEXE 4**

**PLANS**

Copy attached to Licence.



# EXISTING GROUND FLOOR LAYOUT



This drawing is copyright  
 Contractors must check all dimensions on  
 site. Only figured dimensions are to be  
 worked from. Discrepancies must be  
 reported immediately before proceeding

Rev Date Details

STEPHEN MURRELL

Project  
 REFURBISHMENT WORKS, 54  
 VICTORIA STREET, PAIGNTON,  
 DEVON

Existing Layout Plans

Date	Scale	Drawn	Checked
Jan 2018	1:100 @ A3	SC	JB

**Vickery Holman**  
 Property Consultants

CHARTERED BUILDING SURVEYORS

PLYMOUTH EXETER TRURO  
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 Tel: 01392 261011 Fax: 01392 261012  
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 Email: info@vh.co.uk

39165/11

No.	Rev	Date
	A	

## Memorandum

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<b>To:</b> Licensing Team	<b>From</b> :	Safeguarding and Reviewing Service
<b>c.c</b>	<b>Contact</b> :	Lisa Jennings
<b>c.c.</b>	<b>Ext</b> :	207185
<b>c.c</b>	<b>My Ref</b> :	LJ
<b>For the attention of: Licensing</b>	<b>Your Ref</b> :	
	<b>Date</b> :	16.01.2017

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**Subject: Application for Variation to Premises Licence–  
Licensing Act 2003**

**Premises Name and Address:** PL1095 Urban Edge Coffee, Paignton

- 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 has requested to extend the opening times and open in the evenings. In order to ensure the safety of children I would like to see the following conditions included:

- 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 Council's Licensing Statement of Principles.
- No persons under the age of 18 years shall be permitted on the premises after 21:00 hrs unless they are consuming a table meal in the company of a responsible adult.
- An exception to under 18s being permitted on the premises after 21:00 hrs shall be to attend a pre-arranged private function in the company of a responsible adult where the premises are closed to the public.

I have spoken to the applicant who has confirmed that they would be happy to include the above conditions on their licence

Guy, Mandy

---

**From:** ~~Eileen Pickford [mailto:eileen.pickford@gmail.com]~~  
**Sent:** 25 January 2017 13:15  
**To:** Guy, Mandy  
**Subject:** Re: Application for Urban Edge coffee Company

Hi Mandy,

Yes I am agreeable to the conditions set out by Lisa Jennings from Child Protection.

Many thanks,

Eileen

Sent from my iPhone

On 25 Jan 2017, at 12:04, Guy, Mandy <[mandy.guy@torbay.gcsx.gov.uk](mailto:mandy.guy@torbay.gcsx.gov.uk)> wrote:

Hi Eileen,

As discussed with you on the phone I understand you are happy to have the extra conditions proposed by Lisa Jennings from Child Protection added to your licence.

I have attached the memo which lists the conditions.

Can you please confirm by return of this email if you are still happy for these conditions to be added to your licence.

Kind regards

Mandy

Mandy Guy  
Senior Licensing Officer  
Licensing and Public Protection Team  
c/o Town Hall  
Castle Circus  
TQ1 3DR

Tel: 01803 208124  
Fax: 01803 208854

Email: [mandy.guy@torbay.gov.uk](mailto:mandy.guy@torbay.gov.uk)

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