



Wednesday, 1 March 2017

LICENSING SUB-COMMITTEE

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

Friday, 10 March 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 Ellery
Councillor Pentney

Councillor Thomas (J)

A prosperous and healthy Torbay

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

Amanda Coote, 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 Sub-Committee held on 5 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. **Park Lane, 1 Torwood Street, Torquay** (Pages 6 - 37)
To consider an application for a Variation to a Premises Licence in respect of Park Lane, 1 Torwood Street, Torquay.
7. **Venue, 13 Torwood Street, Torquay** (Pages 38 - 80)
To consider an application for a Variation to a Premises Licence in respect of Venue, 13 Torwood Street, Torquay.



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



Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Park Lane, 1 Torwood Street, Torquay TQ1 1ED**

Wards Affected: **Tormohun**

To: **Licensing Sub-Committee** On: **10 March 2017**

Contact Officer: **Mandy Guy**
☎ Telephone: **01803 208025**
✉ 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 Variation to a Premises Licence. The Premise is located 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 Prevention of Crime and Disorder”, “The Prevention of Public Nuisance” and “Public Safety”.
- 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 remove 16 conditions from the licence. These are listed on pages 14 and 15 of the application form.

To add an additional 3 conditions to the licence which are listed on page 17 of the application form.

To extend the timings by one hour on Public Holidays for the following licensable activities: Supply of Alcohol; Recorded Music; Performance of Dance; Anything similar to Recorded Music, Live Music and the Performance of Dance.

A change to the layout of the premises as shown on the plan attached with the application. This is just for the first floor and include to provision of doors through to the venue.

- 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 Representations have been received from Responsible Authorities and Interested Parties. The Licensing Authority is also satisfied that the Representations were received within the appropriate time-scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received a Representation from the Police in relation to the Licensing Objectives “The Prevention of Crime and Disorder” and “The Prevention of Public Nuisance”. The Representation states that it is not an objection to the application but a means to provide information to assist in the decision of the application. This is shown as Appendix 3 of this report.

We have received a Representation from Public Protection in relation to the Licensing Objective “The Prevention of Public Nuisance”. The Representation states it is not an objection to the application but a means to assist in the decision of the application by providing relevant technical information where necessary. This is shown as Appendix 4 of this report.

We have received Representations from 2 Members of the Public in relation to the Licensing Objectives “The Prevention of Crime and Disorder”, “The Prevention of Public Nuisance” and “Public Safety”. These are shown as Appendix 5.

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

- 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 Police
Appendix 4	Representation from Public Protection
Appendix 5	Representations from 2 Members of the Public

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.



**Application to vary a premises licence
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We JAM LEISURE (PARK LANE) LIMITED
(Insert name(s) of applicant)
being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL0595

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description PARK LANE 1 TORWOOD STREET			
Post town	TORQUAY	Postcode	TQ1 1ED
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£37750	

Part 2 – Applicant details

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input 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 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 late night refreshment (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

Part 3 - Variation

Please tick as appropriate

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

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

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

(Please see guidance note 1) Yes

No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- CHANGE OF PREMISES LAYOUT
- REMOVAL AND ADDITION OF PREMISES LICENCE CONDITIONS
- TO EXTEND LICENSABLE ACTIVITIES, SUPPLY OF ALCOHOL, RECORDED MUSIC, PERFORMANCES OF DANCE, ENTERTAINMENT OF A SIMILAR DESCRIPTION TO E,F & G FOR PUBLIC HOLIDAYS

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

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) On Christmas eve, Boxing day, New Years eve, St Patricks day, St Valentine's day, St Georges day and any Bank Holiday Sunday to extend times for an additional hour
Day	Start	Finish	
Mon	10:00	03:30	
Tue	10:00	03:30	
Wed	10:00	03:30	
Thur	10:00	03:30	
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun	10:00	03:30	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 6)

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

ANNEXE 2

PREVENTION OF CRIME AND DISORDER

7. There must be no entry/re-entry after 0200 hours.

PREVENTION OF PUBLIC NUISANCE

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

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

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

8. There shall be no use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.

5. Suitable and clearly identifiable areas for dancing must be set aside, and separate from the dance area suitable means of providing cool air/ventilation and adequate seating

must be provided.

6. ✓ Suitable and sufficient sanitary accommodation must be provided, clearly marked and in good order at all times.
7. ✓ No explosive or highly inflammable material shall be brought into the premises.
8. ✓ No pyrotechnics shall be used on the premises.
9. ✓ Lasers must not be used on the premises without consultation with the Licensing Authority and compliance with HS(G) 95.

PUBLIC SAFETY

1. ✓ The fire safety measures with which the premises are provided shall be maintained in good working order, and their adequacy shall be determined on a regular basis by the carrying out of a fire risk assessment as required by and in accordance with the Fire Precautions Regulations.
2. ✓ In the event of evacuation caused by failure of general lighting, the public shall not be readmitted until the general lighting is fully restored.
3. ✓ The premises shall undertake to maintain a safe occupancy level.

PROTECTION OF CHILDREN FROM HARM

- 6.6 ✓ All gaming machines with prizes shall be unplugged and locked.

ANNEXE 3

PREVENTION OF CRIME AND DISORDER

9. ✓ In relation to the consumption of food and drink (alcoholic and non-alcoholic) on the ground floor terrace, there shall be no consumption after 0200 on Friday and Saturday and after 0000 Sunday to Thursday.

PREVENTION OF PUBLIC NUISANCE

17. ✓ After 2300 hours, the number of patrons permitted to use the roof terrace area shall be limited to a maximum of 80 patrons at any one time.

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

b) The prevention of crime and disorder

In relation to the consumption of food and drink (alcoholic and non-alcoholic) on the ground floor terrace, there shall be no consumption after 0200.

“There shall be regular use of breathbox(es) and an ID Scanner and a management plan shall be in place detailing how these devices will be used. The premises shall be responsible for the funding of the breathbox(es).”

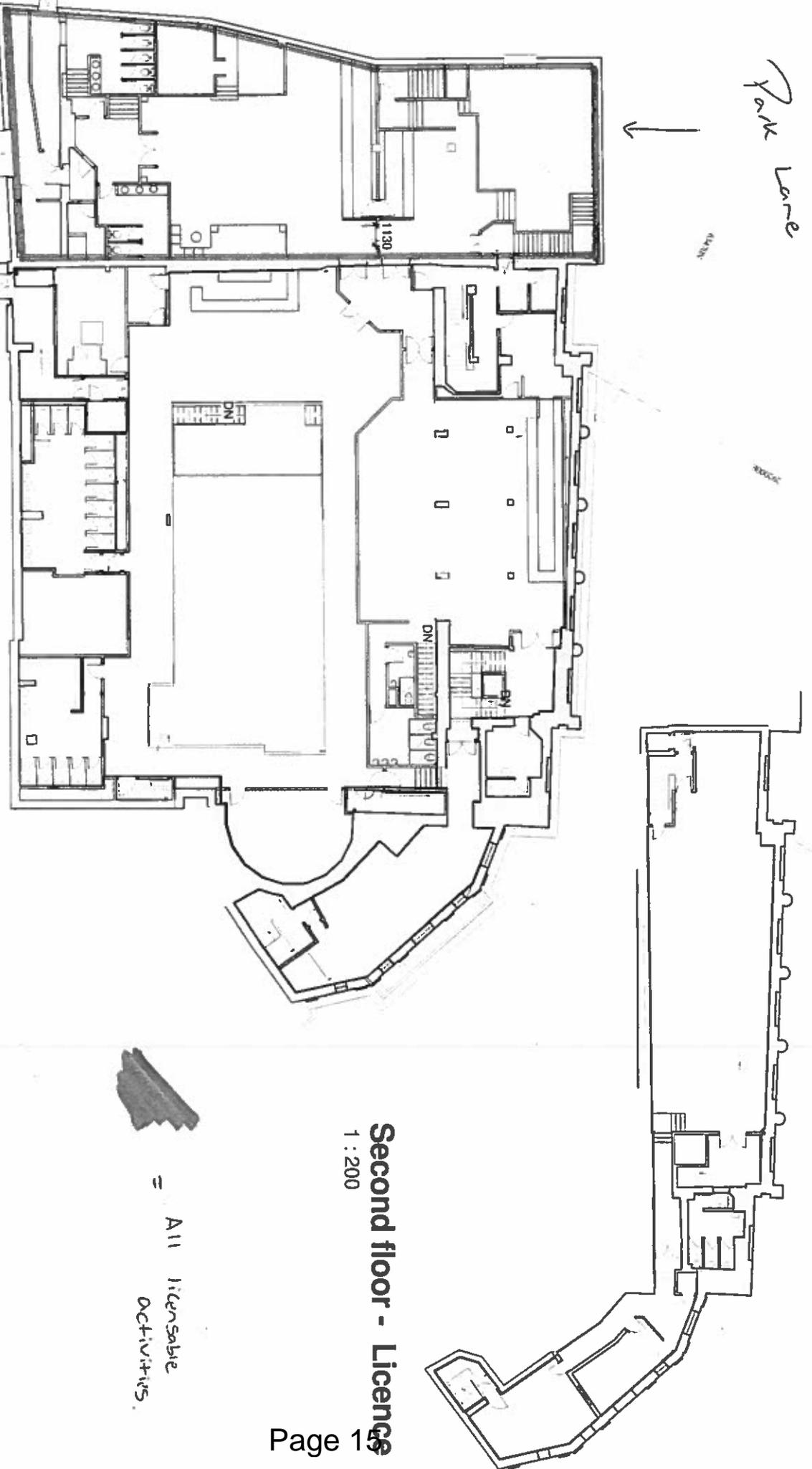
c) Public safety

d) The prevention of public nuisance

After 2300 hours, the number of patrons permitted to use the roof terrace area shall be limited to a maximum of 100 patrons at any one time.

e) The protection of children from harm

Park Lane



First Floor - Licence

1 : 200

Second floor - Licence

1 : 200

 = All licensable activities.

No.	Description	Date

CODE	STATUS	 ARCHITECTURAL DESIGN www.jd-architectural.co.uk	SUITABILITY DESCRIPTION	PURPOSE OF ISSUE

PROJECT	CLIENT	Mr A Hobbs
Park Lane, Toronto Street 100 Park Lane, Toronto Street, London W1K 1TA Tel: 020 7493 8888 Email: enquiry@jd-architectural.co.uk	Date	4-1-17
SHEET	Drawn by	JD
First & second floor licence	Checked by	PLB
	Project number	1635
	DRAWING NUMBER	PL8
	Scale (@ A3)	1:200
	REV	

Licensing Act 2003

Premises Licence

595

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, ORDINANCE SURVEY MAP REFERENCE OR DESCRIPTION

Park Lane

1 Torwood Street, Torquay, Devon, TQ1 1ED.

Telephone 01803 214446

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday	10:00am	3:00am
	Tuesday	10:00am	3:00am
	Wednesday	10:00am	3:00am
	Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Saturday	10:00am	3:00am
	Sunday	10:00am	3:00am
	Christmas Eve	11:00am	3:30am
	New Year's Eve	11:00am	3:00am
	BST - allow for additional hour when the clocks move forward		
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	3:00am
	Christmas Eve	10:00am	3:30am
	Friday to Saturday	10:00am	3:30am
	New Year's Eve	10:00am	3:30am
	Bank Holiday Sundays 10:00 - 03:30		
BST - allow for additional hour when the clocks move forward			

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

Activity (and Area if applicable)	Description	Time From	Time To
G. Performance of dance (Indoors)	Sunday to Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	Christmas Eve	11:00am	3:30am
	New Year's Eve	11:00am	3:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	3:00am
	Friday	10:00am	3:00am
	New Year's Eve	11:00am	3:30am
	Christmas Eve	11:00am	3:30am
L. Late night refreshment (Indoors)	Monday	11:00pm	2:00am
	Tuesday	11:00pm	2:00am
	Wednesday	11:00pm	2:00am
	Thursday	11:00pm	2:00am
	Friday	11:00pm	2:00am
	Saturday	11:00pm	2:00am
	Sunday	11:00pm	2:00am
	Christmas Eve	11:00pm	Midnight
	New Year's Eve	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Sunday	10:00am	3:00am
	Christmas Eve	10:00am	3:30am
	New Year's Eve	10:00am	3:30am
	Bank Holiday Sundays	10:00 - 03:30	
	BST - allow for additional hour when the clocks move forward		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday	10:00am	3:30am
Roof terrace will close at midnight		
Tuesday	10:00am	3:30am
Roof terrace will close at midnight		
Wednesday	10:00am	3:30am
Roof terrace will close at 02:00		
Thursday	10:00am	3:30am
Roof terrace will close at midnight		
Friday	10:00am	3:30am
Roof terrace will close at 03:00		
Saturday	10:00am	4:00am
Roof terrace will close at 03:00		
Sunday	10:00am	3:30am
Roof terrace will close at midnight (03:00 on Bank Holidays)		
Christmas Eve	8:00am	3:30am
New Year's Eve	8:00am	3:30am
Bank Holiday Sunday - 03.30am finish.		
British Summer Time - allow for additional hour when clocks move forward.		

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

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

Part 2

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

Jam Leisure (Park Lane) Ltd

Park Lane, 1 Torwood Street, Torquay, Devon, TQ1 1ED.

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

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

Adrian Michael HOBBS

Terranova, Ridge Road, Maidencombe, Torquay, Devon, TQ1 4TD.
Telephone 01803 292079 or 01803 315663

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. PA0232

Issued by Torbay



Steve Cox
Environmental Health Manager
16 October 2015

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.

MANDATORY CONDITION: DOOR SUPERVISION

1) Where one or more individuals are carrying out security activities, each individual must be licensed by the Security Industry Authority.

2) But nothing in the aforementioned conditions requires such a condition to be imposed in respect of a) and b) and (b)(i) and (b)(ii)

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), are exempt.

(b) In respect of premises in relation to-

ANNEXES continued ...

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3) For the purposes of the aforementioned conditions:-

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Prevention of Crime and Disorder

1. A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 14 days and the police to have access to recordings at any reasonable time.
2. In respect of the roof terrace area, CCTV cameras shall be installed in this area to the satisfaction of the police and there shall be a monitor situated behind the ground floor bar for viewing by staff.
3. On every operational day when SIA door stewards 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.
4. From 2300 hours until the premises close, members of staff and SIA door stewards shall direct patrons to the roof terrace area if they suspect that the patron(s) is leaving by the main entrance to smoke outside the premises.
5. Notices shall be prominently displayed within all bars of the Premises informing patrons who wish to smoke to use the roof terrace area.
6. Patrons leaving the premises for all purposes between 0000 hours on Saturday nights until 0200 hours on Sunday mornings will not be permitted back into the premises without paying an entrance fee.
7. There must be no entry/re-entry after 0200 hours.
8. The number of persons admitted to the premises on any one occasion shall not exceed a safe occupancy. This is in agreement with the responsible authorities notably Devon Fire and Rescue and the Health and Safety Team.
9. From 2300 hours all drinks must be served in toughened/strengthened glasses or polycarbonate/plastic vessels and no drinks will be served in glass bottles from which it is intended or likely that a person shall drink. All glasses are stamped in accordance with Weights and Measures Legislation.
10. Adequate glass and bottle collection shall be undertaken throughout the premises.
11. There must be a zero tolerance with drugs and have a drugs policy in force on the premises, with the objective of securing, as far as reasonably practical, the safety of others attending the premises.
12. A secure drug deposit box approved by Devon & Cornwall Constabulary shall be located on the premises for the safe storage of any drugs found or seized.
13. The DPS or member of the management team shall attend at least two Torquay Forum Meetings per calendar year, and any other meetings organised by the Police in relation to high risk events.
14. The Licensees shall work with the Local Authority and support any seasonal and other advertising campaigns.

The Prevention of Public Nuisance

1. Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially

ANNEXES continued ...

after 2300 hours. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:-

i) Before 2300 hours - Noise emanating from the premises shall not be clearly distinguishable above other noise.

ii) After 2300 hours - Noise emanating from the premises shall not be distinguishable above background levels of noise.

iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.

2. Doors and windows must be kept shut during entertainment to reduce noise breakout. A management scheme will be in place to ensure this situation remains.
3. A management scheme shall be put in place to prevent excessive queuing into the street and particularly into Park Lane.
4. Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties.
5. Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.
6. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
7. Delivery of kegs, bottles, food and other materials shall be carried out between the hours of 0930 hours and 1730 hours weekdays.
8. There shall be no use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.
9. Background music on the roof terrace area must cease at 0200 hours and shall switch off automatically.
10. Patrons who behave in a noisy or disorderly manner on the roof terrace area shall be removed from that area and where appropriate asked to leave the Premises. Details of this noisy or disorderly conduct shall be recorded in a log book and where appropriate, details of the patron(s) causing the noise or disorderly conduct shall be recorded in that log book too.
11. Signage must be displayed in the roof terrace area to remind patrons to keep noise to a minimum, warning customers who are excessively noisy or disorderly that they will be removed from that area and potentially the Premises.
12. If Torbay Council receives a complaint of noise nuisance emanating from the Premises and an Environmental Health Officer of Torbay Council deems noise nuisance to exist and the upholds the complaint, the Premises Licence Holder shall on receiving written confirmation of that complaint from Torbay Council:
 - a) Co-operate with Torbay Council's Environmental Health Officers and implement remedial measures to the satisfaction of the Environmental Health Officers immediately or as reasonably practicable to do so, as determined by the Environmental Health Officer; and
 - b) Where remedial action cannot be identified and remediated to the satisfaction of the Environmental Health Officer, the roof terrace area shall be closed to all patrons at 2000 hours until such time that the noise nuisance can be identified and the necessary remedial work can be carried out.

Public Safety

1. The fire safety measures with which the premises are provided shall be maintained in good working order, and their adequacy shall be determined on a regular basis by the carrying out of a fire risk assessment as required by and in accordance with the Fire Precautions Regulations.
2. In the event of evacuation caused by failure of general lighting, the public shall not be readmitted until the general lighting is fully restored.
3. The premises shall undertake to maintain a safe occupancy level.

ANNEXES continued ...

4. Where crowd management measures are needed, all reasonable steps shall be taken to ensure that such persons do not obstruct exits, yards, passageways, stairways and ramps and that portable barriers shall be provided to prevent crushing and keep queues in an orderly fashion.
5. Suitable and clearly identifiable areas for dancing must be set aside, and separate from the dance area suitable means of providing cool air/ventilation and adequate seating must be provided.
6. Suitable and sufficient sanitary accommodation must be provided, clearly marked and in good order at all times.
7. No explosive or highly inflammable material shall be brought into the premises.
8. No pyrotechnics shall be used on the premises.
9. Lasers must not be used on the premises without consultation with the Licensing Authority and compliance with HS(G) 95.

The Protection of Children from Harm

1. No persons under the age of 18 shall be employed in connection with the sale of alcohol after 2300 hours.
2. Persons under the age of 18 shall not be allowed into the Nightclub on the first floor at anytime unless attending an under 18 event.
3. Suitable food and non-alcoholic beverages shall be available at all times that children are allowed on the premises.
4. All bar staff shall be suitably trained to prevent the sale of alcohol to under 18's.
5. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 shall be requested to provide an approved form of identification bearing a photograph.
6. **Under 18 events may take place to which the following conditions shall apply:**
 - 6.1 These events shall finish no later than 2300 hours, after which there will be a 30 minute period before re-opening to over 18's.
 - 6.2 The Police shall be notified in writing or email at least 14 days prior to the event.
 - 6.3 SIA door stewards must be employed throughout the event, which shall include at least one female steward. All stewards shall have undergone Disclosure & Barring Service check.
 - 6.4 All promotional material relating to alcohol shall be removed.
 - 6.5 All alcohol shall be locked and or obscured from view.
 - 6.6 All gaming machines with prizes shall be unplugged and locked.
 - 6.7 Any person refusing to be searched shall be refused entry.
 - 6.8 The event shall be promoted to ages 14 and above.
 - 6.9 Foreign student events shall be restricted to foreign students only.
 - 6.10 Throughout under18 events, the DPS or personal licence holder must be present.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Crime and Disorder

1. On any Wednesday, Friday, Saturday and Sunday nights SIA door stewards shall be employed from 2200 hours until closing time at a ratio of 2 stewards for the first 100 patrons, and thereafter 1 additional steward for each 100 patrons. This condition shall also apply to Christmas Eve and New Years Eve when they do not fall on a Wednesday, Friday,

ANNEXES continued ...

- Saturday or Sunday. On all other occasions the Premises Licence Holder shall risk assess the need for door stewards and employ these as such numbers and at such times determined by that risk assessment.
2. SIA door steward, when on duty, must wear distinctive dress.
 3. Nominated SIA door stewards and members of management must carry effective two way radios with earpieces and used at all times after 2200 hours. This equipment is kept in good working order.
 4. Subject to condition 1 above, on every occasion that the premises sells alcohol after midnight and then closes after 0030 hours, SIA door stewards shall be employed at the premises from 2200 hours until closing.
 5. At all times that SIA door stewards are employed at the premises after 2200 hours, an SIA door steward shall be positioned at the entrance to the premises.
 6. At all times that the roof terrace area is open, regular checks are to be made by staff and after 2200 hours, an SIA door steward shall be situated in that area. Their duties will include, ensuring that persons using the roof terrace behave in an orderly manner, and that persons shouting, singing or acting in a way that may cause a noise nuisance will be asked to leave the roof terrace area and if necessary, the premises.
 7. The premises will maintain membership and actively participate in the Nitenet Radio Scheme, with the radio being in the possession of either the Head SIA Door Steward (when SIA door stewards are employed on the premises) or the Duty Manager.
 8. Consumption of alcohol on the ground floor terrace shall be by persons seated, no alcohol shall be served in glass bottles within those areas from which it is intended or likely that a person shall drink.
 9. In relation to the consumption of food and drink (alcoholic and non-alcoholic) on the ground floor terrace, there shall be no consumption after 0200 on Friday and Saturday and after 0000 Sunday to Thursday.
 10. All bar staff will be trained in relation to their responsibilities in relation to the Licensing Act in respect of the sale/supply of alcohol. After 2200 hours at least one manager who holds a personal licence shall be on the premises whilst open to the public.

The Prevention of Public Nuisance

1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
2. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
3. All regulated entertainment shall be played through a noise limiter which is set at a level as agreed with the local responsible authority for public nuisance. The noise limiter shall be made tamper proof and any adjustments to sound levels shall only be made in consultation with the responsible authority for public nuisance.
4. The level of amplified music shall be reduced automatically by 1/3 of the agreed level set by the noise limiter at 0300 hours until closing.
5. The volume of any regulated entertainment will be under the control of the management at all times. Should monitoring indicate that the volume should be reduced, management shall take steps to ensure levels are reduced immediately.
6. 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.
7. Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment.
8. 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.
9. Where any proposed structural changes are made to the premises, agreement must be reached with the

ANNEXES continued ...

Environmental Health Department that these works will not increase noise breakout before the works are commenced.

10. From 2300 hours until the premises closes, SIA door stewards shall monitor the external areas and ensure that patrons behaving in a noisy manner are either asked to leave or asked to return inside the premises.
11. SIA door stewards positioned at the exits shall take all reasonable steps to ensure that patrons leave the premises in a quiet respectful manner and do not congregate outside the premises.
12. The placing of refuse such as bottles in to skips outside the premises shall take place at times that will prevent disturbance to nearby properties and the movement of bins and rubbish outside the premises shall be kept to a minimum after 2200 hours.
13. The licensee shall ensure that staff leaving the premises after a late night shift will conduct themselves in a manner as not to disturb nearby residents.
14. The roof terrace will close at:

Sundays - midnight, except on Sundays of Bank Holiday Weekends when the terrace will close at 0300 hours on the Monday morning.

Mondays and Tuesdays - midnight.

Wednesdays - the terrace will close at 0200 hours on the following day (i.e. Thursday).

Thursdays - midnight.

Fridays and Saturdays - the terrace will close at 0300 hours on the following days (i.e. Saturday and Sunday mornings).
15. Other than recorded background music, no live or amplified music shall be permitted on the roof terrace area at any time.
16. The volume of background music played on the roof terrace area must be set and maintained at a level that is agreed by a Torbay Council Environmental Health Officer.
17. After 2300 hours, the number of patrons permitted to use the roof terrace area shall be limited to a maximum of 80 patrons at any one time.
18. Patrons shall not be permitted to take drinks onto the roof terrace area after 2300 hours.
19. All patrons consuming drinks on the roof terrace area must cease doing so at 2300 hours and arrangements must be in place by the Premises Licence Holder for all glasses to be cleared from that area at 2300 hours. Those patrons wishing to continue drinking must be advised to do so inside the Premises.
20. The roof terrace is to have a solid perimeter wall of at least eight feet, with the exception of the Torwood Street elevation where it shall be six feet. The wall is to have a density of at least 10 kilograms per square meter with no gaps.
21. Non sound reflective surfaces shall be used on the walls and floor where practically possible.

The Protection of Children from Harm

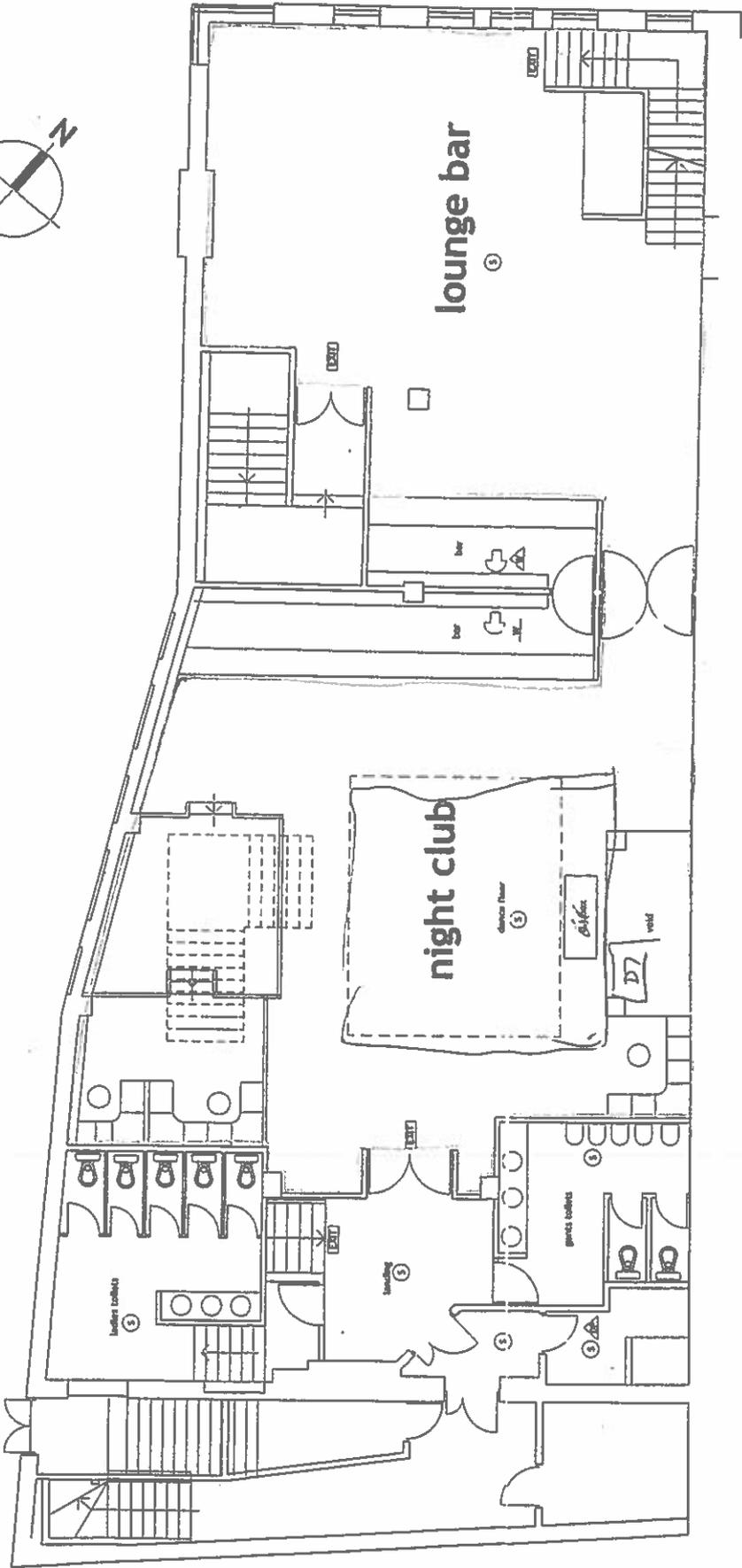
1. Persons under the age of 18 shall be required to vacate the premises by 2200 hours, unless they are attending an under 18 event.

ANNEXE 4

PLANS

Copy attached to Licence.

- NOTES:**
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- KEY**
- EXIT
 - illuminated emergency sign
 - break glass alarm p
 - smoke detector
 - emergency light
 - wear fire extinguisher
 - fire blanket
 - fire extinguisher
 - fire blanket

Scale:	1:50 B.A.1
Date:	Feb. 2013
Drawn by:	CA
Checked by:	

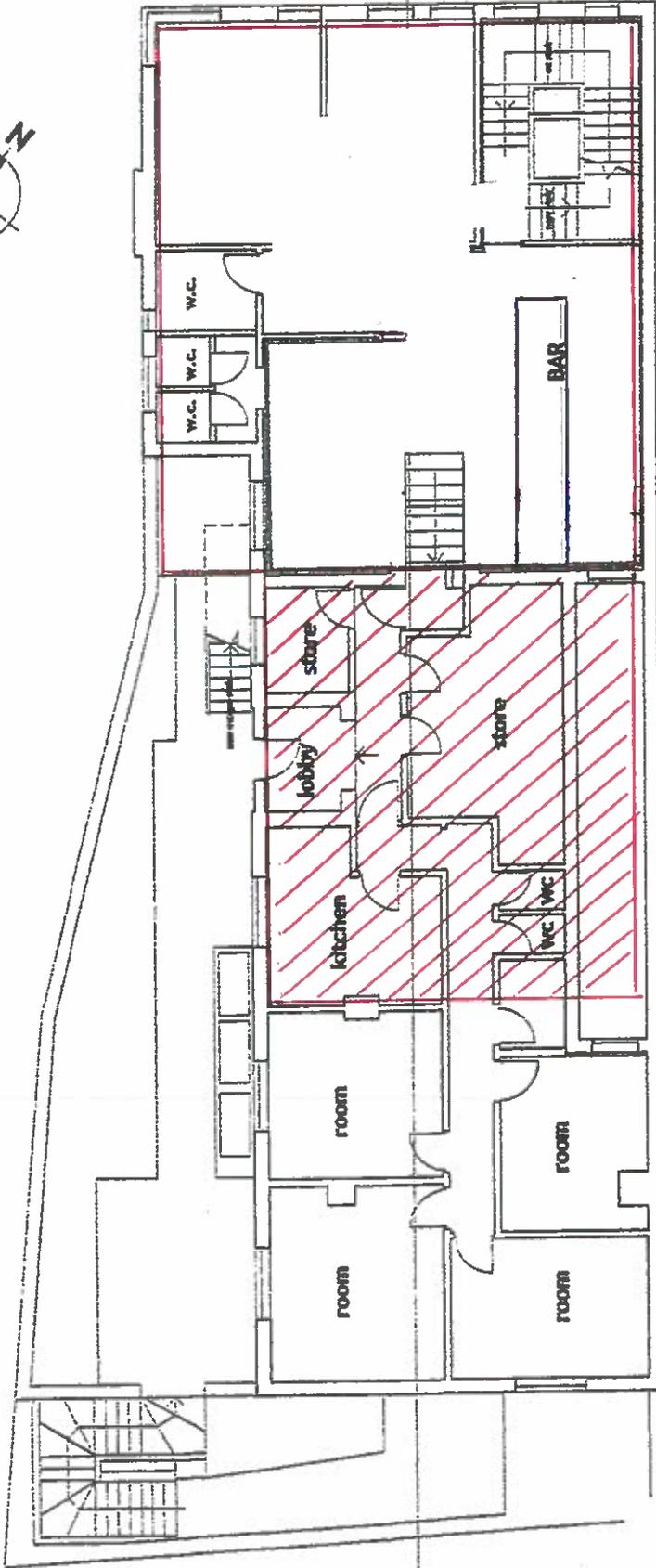
Job
"Park Lane"
Torquay Street
Torquay Devon

Drawing
First Floor Plan
Restrooming

Drawing number:
6410_401

First Floor Plan

ANNEXE 4

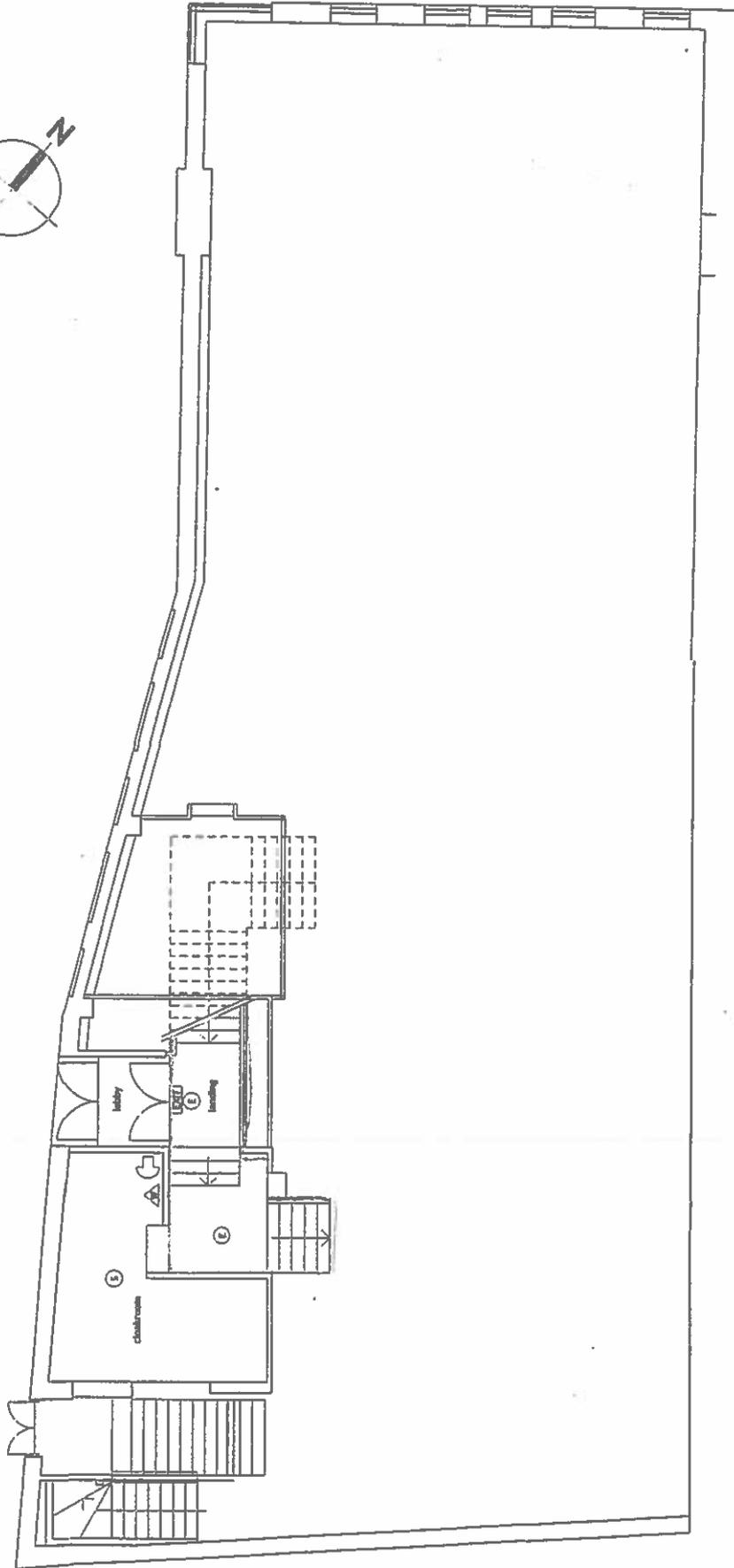


Second Floor Plan

- NOTES:**
1. See drawings related to this plan.
 2. All dimensions in millimetres.
 3. All dimensions in metres.
 4. All dimensions in feet.

Scale:	1:100 (A1)
Drawn by:	GR
Checked by:	GR
Job:	"Park Lane" Residential Project
Client:	Proprietor
Contract:	As Proposed
Drawing number:	6-410, 503
	PRELIMINARY 2

COLIN RITCHIE ARCHITECTS LTD.
 22a VICTORIA PARADE TORONTO, ONT. M5B 2B6
 Tel: (416) 291-1111 Fax: (416) 291-1112
 Email: colin@colinritchie.com



Mezzanine Floor Plan

NOTES:

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KEY

- illuminated emergency exit sign
- break glass alarm point
- smoke detector
- emergency light
- water fire extinguisher
- dry powder fire extinguisher
- fire blanket

Revisions	By	Date

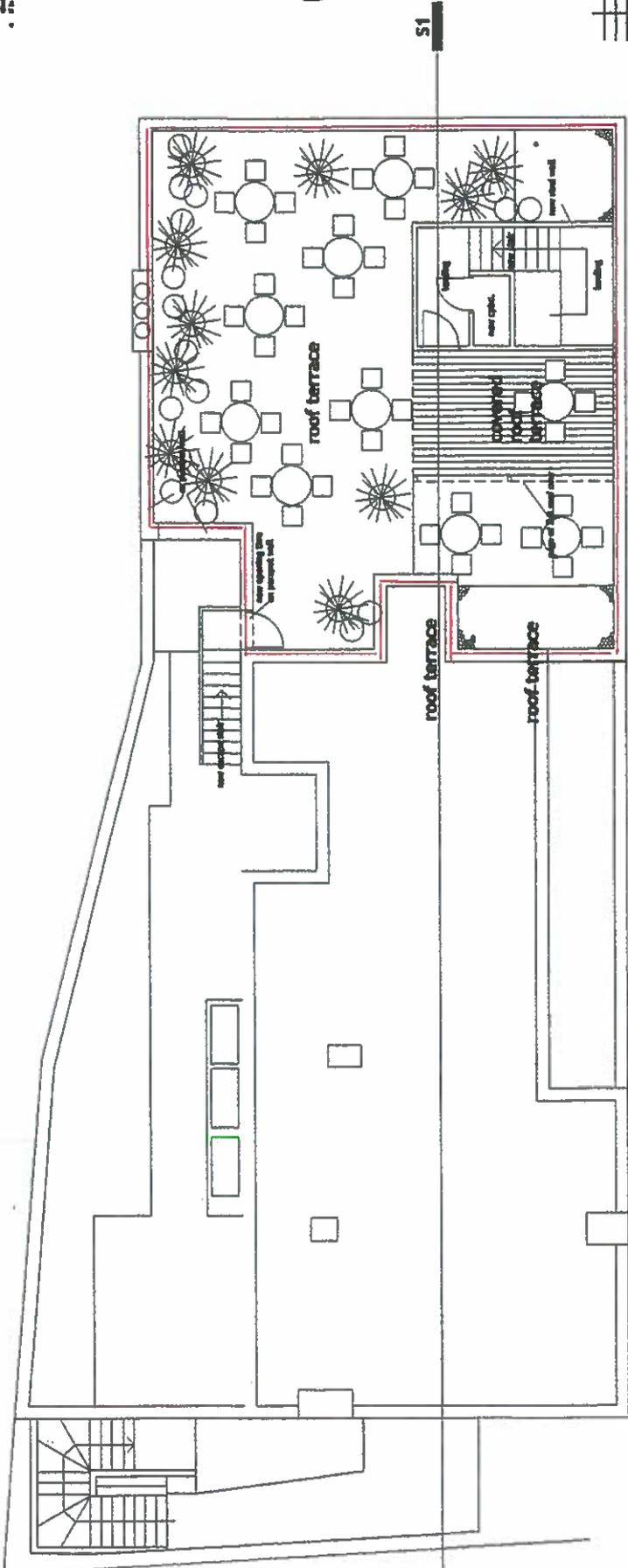
Scale: 1:50 (A1)
 Date: Feb. 2011
 Drawn by: CJ
 Checked by:

Job:
 "Park Lane"
 Terwood Street
 Torquay Devon

Drawing:
 Mezzanine Floor Plan
 Working

Drawing number:
6410.402

- NOTES:
1. Dimensions to be subject to change.
 2. All dimensions are in millimeters.
 3. All dimensions are to the centerline unless otherwise indicated.
 4. All dimensions are to the face unless otherwise indicated.



Scale:	1:100 (A1)
Drawn by:	CLB
Checked by:	CLB
Date:	

Scale: 1:100 (A1)
 Drawn by: CLB
 Checked by: CLB
 Date:

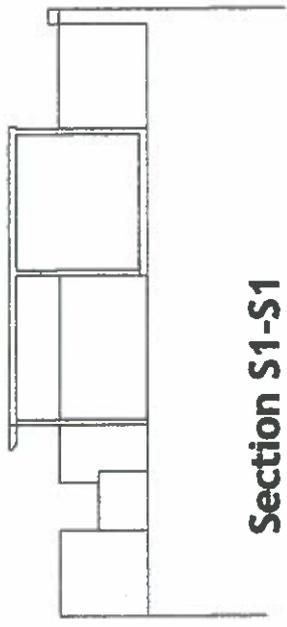
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 Drawn by: CLB
 Checked by: CLB
 Date:

Scale: 1:100 (A1)
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 Date:

Roof Level Plan



Section S1-S1

6410_504
 PRELIMINARY 2



COLIN RITCHIE ARCHITECTS LTD.
 22 VICTORIA PARADE TORONTO ONT M5B 2B5
 Tel: 416-593-7171 Fax: 416-593-7172
 Email: info@colinritchie.com



Devon & Cornwall Police

Licensing Team
Torbay Council
C/O Torquay Town Hall
Castle Circus
TORQUAY
TQ1 3DR

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

Telephone: 01803 218900

16 February 2017

Dear Sir/Madam

Park Lane, 1 Torwood Street, Torquay, Devon TQ1 1ED

I refer to application for the Variation of the Premises Licence in respect of the above named premises, submitted by the applicants, Jam Leisure (Park Lane) Limited. The directors of this company are Mr Adrian Hobbs and Mrs Jacqueline Hobbs.

For your information Mr and Mrs Hobbs are also the directors of Jam Leisure (TQ) Ltd, who holds the Premises Licence in respect of the Venue, 13 Torwood Street, Torquay. An application for the variation of the premises licence in respect of this premises has also been submitted to Torbay Council.

My Police Licensing Officer, Mrs Julie Smart, and Sgt Mike Norsworthy (Licensing Sergeant Devon) have met with Mr Hobbs, and various members of the management teams of Park Lane and the Venue, several times over the last few months in relation to these variation applications. The police do not object to this application but would like to provide you with the following information which may assist you when considering this application.

Mrs Smart advises me that the variation applications have been made to change the layout of both premises. An interconnecting doorway is to be created on the first floor and, at times, customers will be allowed to move between the two premises. In addition, in respect of the Venue, other internal alterations will be made to provide a new smoking area and a 'retro club' within the main building. These changes of layout should help alleviate concerns regarding the crowding of customers on the first floor of

Contact the police

Emergency 999

Non-emergency www.devon-cornwall.police.uk/reportcrime

✉ 101@devonandcornwall.pnn.police.uk 101

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The Government Standard
Stock code: SF615

Park Lane and reduce the queue for the smoking area within Park Lane, as customers will be directed to an alternative smoking area within the Venue. It is also anticipated that fewer customers will smoke outside the Venue, thus reducing the likelihood of noise and public nuisance on the street. Mrs Smart and Sgt Norsworthy are satisfied that the changes of layout of both premises will not impact on any of the licensing objectives.

The applications also seek to remove and add additional conditions to the licences. Mrs Smart and Sgt Norsworthy have carefully considered these and do not anticipate that the proposed amendments will impact on any of the licensing objectives.

In respect of Park Lane, the applicants are reducing the opening hours on Saturdays to match the rest of the week, ie 1000 hrs until 0330 hrs. In respect of the Venue, the applicants are seeking to extend the sale of alcohol by an additional 30 minutes every day of the week, ie from 1100 to 0230 hrs to 1100 hrs to 0300 hrs, closing 30 minutes thereafter. This will mean that both Park Lane and the Venue can sell alcohol until 0300 hrs daily, and this will prevent the flow of customers from one premises to the other in the lead up to closing. At the present time customers leave The Venue at 0300 hrs however many use the services of the takeaways and do not leave the area immediately after leaving the premises. The police do not consider that this will have a detrimental effect on any of the licensing objectives.

In addition, Mrs Smart advises me that she has worked very closely with the management teams of both premises during the last couple of years. From statistics prepared by Mrs Smart, it is evident that recorded crime at both premises has reduced year on year. In respect of Park Lane in 2016 there was a 17.2% reduction of crime compared to 2015. In respect of the Venue, in 2016 there was a 26.4% reduction of crime compared to 2015.

Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

Yours faithfully



Superintendent M Lawler
Territorial Policing & Partnership Department

Guy, Mandy

From: Cox, Steve
Sent: 16 February 2017 15:50
To: Guy, Mandy
Subject: Representation regarding two applications

Dear Mandy

I am writing these representations, the same for both, with regard to the Prevention of Public Nuisance Objective.

Park Lane 1 Torwood Street, Torquay TQ1 1ED and Venue 13 Torwood street, Torquay TQ1 1ED

I wish to make representation on behalf of the Responsible Authority for Environmental Health dealing with noise nuisance in respect of both variation applications for the above premises.

There have been complaints relating to noise emanating from both premises. Visits have been made to the premises from officers relating to noise issues and these matters have been discussed with both the owner and management of the premises.

Following the takeover of the Venue by the owners of Park Lane, a visit took place to discuss the noise issues both past a current and a full explanation of the proposed alterations to the premises was given at that time. All of the local authority concerns and details pertaining to complaints that had been received were discussed and assurances given by management in respect of both premises that measures would be put in place to combat further issues.

The applications have been submitted in accordance with the discussed measures and it is hoped that a premises operating under the revised (should they be granted) licences will bring about a vast improvement. It is difficult to assess the degree of any positive impact at this stage, however, the noise measures incorporated into the renovations to the building are of a standard that suggests that the outbreak of noise will be reduced in comparison to previously.

In view of this, the environmental health team are not objecting to the application as such, however, on the basis that Members are required to consider the merits of the application and that they may therefore have technical questions to ask of noise officers, this representation allows for an officer to be present at the hearing and ensures that measures discussed are incorporated on any licence that is deemed to be granted.

Steve Cox
Environmental Health Manager (Commercial)
Torbay Council
C/o Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 208025
Fax: 01803 208043



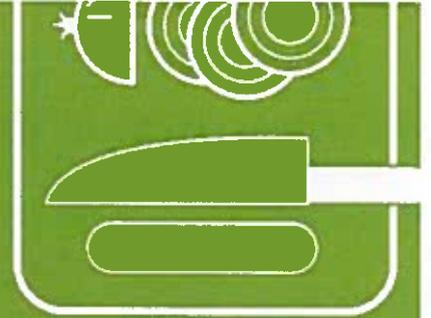
Food Safety and Licensing

 @TorbayFSL

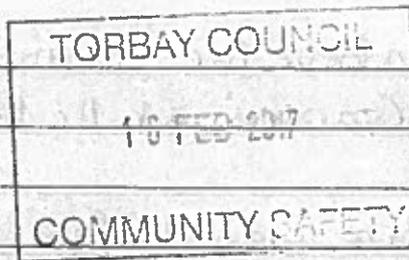


Community Safety

Tel: 01803 208025 www.torbay.gov.uk/licensing



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15TH FEBRUARY 2017.

Dear Sir, Madam.

Having read and reviewed the criteria incorporated within the documents involving both establishments namely (1) Venue, 13 Tomwood St, O46304 (2) Park Lane No 1 Tomwood St, O46301 placed within your website

Torbay.gov.uk informing the general local residents and others within the vicinity of potential changes of usage for such venues.

I wish to have known that we object to any change of usage for either venue.

We have until now been fairly quiet and not objected too harshly for past episodes of what could only be described as NOISE causing Public Nuisance. to our home which is situated in very close proximity to both the above named establishments.

(1) Venue - we wish to protest their application on the grounds that the noise, experienced only recently will be gratefully exasibated if their re-newed application gets accepted and enter this complain with the Public Nuisance remit. The vibration from the constaur BASE is at times intolerable & could get worse if this application is granted

(2) Park Lane - Gives us great concern if their applicato is accepted as only recently we had to inform the police that a person/persons were both climbing on our roof

and then onto the roof above the 'Veuve' hoping to gain access to the 'Roof Garden' at the top of the Park Lane Veuve.

My last report to police was before Christmas 2016 as a gentleman had climbed onto the Veuve roof and unfortunately did not gain said access but was forced to fortunately SLEEP off his intake of alcohol.

However from my vantage point all I could see was a lifeless body on the roof, not knowing if he was injured or deceased I called the police who dealt with the individual.

I feel that this intrusion will happen more often and would be likely to be considered as a Public Safety problem.

We have had on two occasions some involvement with the Environmental Health dept and whilst I visit from Mr Karl Martin, who agreed with his colleagues that the noise we were experiencing was unacceptable, but did nothing to assist etc - - Or even inform us of any outcome from further conversations etc - -

We therefore wish to voice our concern as regular Community Charge payers to these two establishments making further developments that we feel will make our present situation even more intolerable.
Asking you to record our dis consent.

Thank You

TK 201205300

PARK LANE

1 TORWOOD ST

Variation Application

046301

TORBAY COUNCIL
 15th FLOOR
 COMMUNITY

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Tel. [Redacted]

Email [Redacted]

Dear Sir,

I wish to make a representation against the above variation of licence application on the Park Lane Club. We have had good reason to make complaints about noise emanating from these premises which contravene your Reg 1 relating to noise with regard to the prevention of public nuisance. In addition there has been significant base vibration. The side of the Park Lane club frequently has a number of used Nitrous Oxide ampoules discarded on the road - the rear area and Park Lane steps are used as a toilet, and people are frequently seen accessing the club from the rear by climbing over walls and onto nearby roofs. If this variation is for live music performance it is bound to cause more problems to local residents.

Yours sincerely

[Redacted Signature]

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 remove 24 conditions from the licence. These are listed on pages 14 to 16 of the application form.

To add an additional 23 conditions to the licence which are listed on pages 18 to 20 of the application form.

To extend the time for the Supply of Alcohol from 11.00 until 03.00 which is an additional 30 minutes. Also to allow an additional hour on Public Holidays and when British Summertime commences.

To extend the time for Recorded Music; Performance of Dance; Anything similar to Recorded Music, Live Music and the Performance of Dance from 11.00 until 03.30 which is an additional 30 minutes. Also to allow an additional hour on Public Holidays and when British Summertime commences.

A change to the layout of the premises as shown on the plans attached with the application. This is for both floors and includes the provision of doors through to Park Lane, the addition of a roof top smoking area and other changes to the layout.

- 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 Representations have been received from Responsible Authorities and Interested Parties. The Licensing Authority is also satisfied that the Representations were received within the appropriate time-scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received a Representation from the Police in relation to the Licensing Objectives "The Prevention of Crime and Disorder" and "The Prevention of Public Nuisance". The Representation states that it is not an objection to the application but a means to provide information to assist in the decision of the application. This is shown as Appendix 3 of this report.

We have received a Representation from Public Protection in relation to the Licensing Objective "The Prevention of Public Nuisance". The Representation states it is not an objection to the application but a means to assist in the decision of the application by providing relevant technical information where necessary. This is shown as Appendix 4 of this report.

We have received Representations from 2 Members of the Public in relation to the Licensing Objectives “The Prevention of Crime and Disorder”, “The Prevention of Public Nuisance” and “Public Safety”. These are shown as Appendix 5.

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

- 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 Police
Appendix 4	Representation from Public Protection
Appendix 5	Representations from 2 Members of the Public

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.



LICENSING ACT 2003

APPLICATION TO VARY A PREMISES LICENCE

NOTIFICATION

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

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

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

Completed forms should be returned to:

Environmental Health Manager (Commercial)
Torbay Council
Community Safety
C/O Torquay Town Hall
Castle Circus
Torquay
TQ1 3DR

Contact Details:

Tel: 01803 208025

Web: www.torbay.gov.uk

Email: licensing@torbay.gov.uk

**Application to vary a premises licence
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We JAM LEISURE (TQ) LIMITED

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number PL0849

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description VENUE 13 TORWOOD STREET			
Post town	TORQUAY	Postcode	TQ1 1ED
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£106000	

Part 2 – Applicant details

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

Part 3 - Variation

Please tick as appropriate

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

Yes

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

- CHANGE OF PREMISES LAYOUT
- REMOVAL AND ADDITION OF PREMISES LICENCE CONDITIONS
- TO EXTEND THE TIMES OF LICENSABLE ACTIVITIES, SUPPLY OF ALCOHOL MON-SUN 11:00-03:00HRS AND AN ADDITIONAL HOUR ON PUBLIC HOLIDAYS
- TO EXTEND THE TIMES OF LICENSABLE ACTIVITIES, RECORDED MUSIC, PERFORMANCES OF DANCE, ENTERTAINMENT OF A SIMILAR DESCRIPTION TO E,F & G, MON-SUN 11:00-03:30HRS AND AN ADDITIONAL HOUR ON PUBLIC HOLIDAYS

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11:00	03:30			
Tue	11:00	03:30			
Wed	11:00	03:30	State any seasonal variations for the playing of recorded music (please read guidance note 5) On Christmas eve, Boxing day, New Years eve, St Patricks day, St Valentine's day, St Georges day and any Bank Holiday Sunday to extend times for an additional hour		
Thur	11:00	03:30			
Fri	11:00	03:30	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6) An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
Sat	11:00	03:30			
Sun	11:00	03:30			

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11:00	03:30			
Tue	11:00	03:30			
Wed	11:00	03:30	State any seasonal variations for the performance of dance (please read guidance note 5) On Christmas eve, Boxing day, New Years eve, St Patricks day, St Valentine's day, St Georges day and any Bank Holiday Sunday to extend times for an additional hour		
Thur	11:00	03:30			
Fri	11:00	03:30	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 6) An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
Sat	11:00	03:30			
Sun	11:00	03:30			

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Mon	11:00	03:30		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	11:00	03:30	Please give further details here (please read guidance note 4)		
Wed	11:00	03:30			
Thur	11:00	03:30	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5) On Christmas eve, Boxing day, New Years eve, St Patricks day, St Valentine's day, St Georges day and any Bank Holiday Sunday to extend times for an additional hour		
Fri	11:00	03:30			
Sat	11:00	03:30	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 (please read guidance note 6) An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
Sun	11:00	03:30			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) On Christmas eve, Boxing day, New Years eve, St Patricks day, St Valentine's day, St Georges day and any Bank Holiday Sunday to extend times for an additional hour 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 6) An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
Mon	11:00	03:00			
Tue	11:00	03:00			
Wed	11:00	03:00			
Thur	11:00	03:00			
Fri	11:00	03:00			
Sat	11:00	03:00			
Sun	11:00	03:00			

K

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 9).

NONE

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) On Christmas eve, Boxing day, New Years eve, St Patricks day, St Valentine's day, St Georges day and any Bank Holiday Sunday to extend times for an additional hour
Day	Start	Finish	
Mon	11:00	03:30	
Tue	11:00	03:30	
Wed	11:00	03:30	
Thur	11:00	03:30	
Fri	11:00	03:30	
Sat	11:00	03:30	
Sun	11:00	03:30	

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 6)
An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.

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

ANNEXE 2

GENERAL

2. On any Thursday, Friday, Saturday and Sunday night that the premises remain open for the sale of alcohol after midnight and then close after 00.30hrs, SIA door stewards shall be employed on the premises from 22.00hrs until close, at a ratio of 1 steward per 100 customers. (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 or Designated Premises Supervisor shall risk assess the requirement for door stewards and employ such door stewards, if at all, in such numbers and at such times determined by that risk assessment.

11. This premises licence applies only to the parts of the premises named below and the maximum number of persons to be permitted within those areas shall not exceed:-

Music singing and dancing - Ground Floor: 600; First Floor: 500; Second Floor: 90;
Second Floor Office Bar 60.

except that

Exhibitions of Sporting Events - 450 within the whole building at any time.

12. The maximum occupancy figure being ground floor 600, first floor 500, second floor 90

and Second Floor Office Bar 60 must be checked. Steps must be taken so that once the maximum occupancy is reached, no further persons are admitted.

PREVENTION OF CRIME AND DISORDER

2. Tap water must be free of charge.

9. There shall be no entry or re-entry of patrons to the premises after 2am, except on the morning of the day that British Summer Time commences, when entry and re-entry shall be permitted to 3am BST.

PREVENTION OF PUBLIC NUISANCE

4. A payphone within the foyer must display local taxi numbers.

7. The placing of refuse, such as bottles, into receptacles outside the premises must take place at times that shall prevent disturbance to nearby properties.

PUBLIC SAFETY

2. All bars must be fitted with panic lights.

4. Awareness posters for binge drinking and drink driving must be displayed.

6. The premises licence holder and/or the DPS must maintain a health and safety risk assessment procedure.

7. The premises licence holder and/or the DPS must provide toilet attendant/medical room/qualified first aiders.

8. Fire Safety Measures for which the premises are provided, must be maintained in good working order and their adequacy will be determined on a regular basis by carrying out a fire risk assessment, as required by, and in accordance with the Fire Precautions (Work Place) Regulations.

10. Electrical system, including portable appliances must be inspected and tested annually by a competent electrician to ensure safety.

11. Where temporary electrical equipment is to be used, a suitable circuit breaker device must be installed to cover this equipment.

12. Free drinking water must be available at all times.

13. When disabled people are present, adequate arrangements must exist to enable their safe evacuation in the event of any emergency, review and assessment of access ability in line with the Disability Discrimination Act will be completed and kept on the premises.

15. Procedures must be in place to ensure that body fluids are dealt with in safe manner to avoid the risk of communicable diseases.

16. Gangways, exits routes and steps must be maintained in good order and non slippery and even surfaces.

17. A means of addressing patrons during operating hours which can be heard above entertainment, or a means of interrupting the entertainment to make important safety announcements must be made available.

PROTECTION OF CHILDREN FROM HARM

4. b) The police shall be notified in writing or email at least seven days prior to the event.

5. b) The police shall be notified in writing or email at least seven days prior to the event.

6. b) The police shall be notified in writing or email at least seven days prior to the event.

7. Under 18 and over 18 mixed comedy or similar events may take place to which the following conditions shall apply:

7. b) The police shall be notified in writing or email at least seven days prior to the event.

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

- On any Wednesday, Friday, Saturday and Sunday nights SIA door stewards shall be employed from 22.00hrs until closing time at a ratio of 2 stewards for the first 100 patrons, and thereafter 1 additional steward for each 100 patrons. This condition shall also apply on Christmas Eve and New Years Eve when they do not fall on a Wednesday, Friday, Saturday or Sunday. On all other occasions the Premises Licence Holder shall risk assess the need for door stewards and employ these as such numbers and at such times determined by that risk assessment.
- The number of persons admitted to the premises on any one occasion shall not exceed a safe occupancy. This is in agreement with the responsible authorities notably Devon Fire & Rescue and Torbay Council's Health & Safety Team.
- The safe occupancy figure must be checked. Steps must be taken so that once the safe occupancy figure has been reached, no further persons are admitted.

b) The prevention of crime and disorder

There shall be regular use of breathbox(es) and an ID scanner and a management plan shall be in place detailing how these devices will be used. The premises shall be responsible for the funding of the breathbox(es).

c) Public safety

d) The prevention of public nuisance

1. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management and the controlling mechanism shall be operated from a part of the premises not accessible to the public.
2. A noise limiting device shall be fitted so that all live and recorded music is channelled through the device(s). The maximum noise levels will be set by agreement with Torbay Councils Team and will be reviewed from time to time as appropriate.

3. The Premises Licence Holder or nominated person shall ensure that the noise limiting device is sealed after commissioning, so that sound operators cannot override the system during the performance of live and recorded music.

a. While live or recorded music takes place regular monitoring of noise levels at the nearest noise-sensitive locations shall take place. A record shall be kept of any monitoring.

4. The volume of any regulated entertainment will be under the control of the management at all times. Should monitoring indicate that the volume should be reduced, management shall take steps to ensure levels are reduced immediately.

5. 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.

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

7. 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.

8. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when doors have been opened.

9. 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.

10. From 2300 hours until the premises closes, SIA door stewards shall monitor the external areas and ensure that patrons behaving in a noisy manner are either asked to leave or asked to return inside the premises.

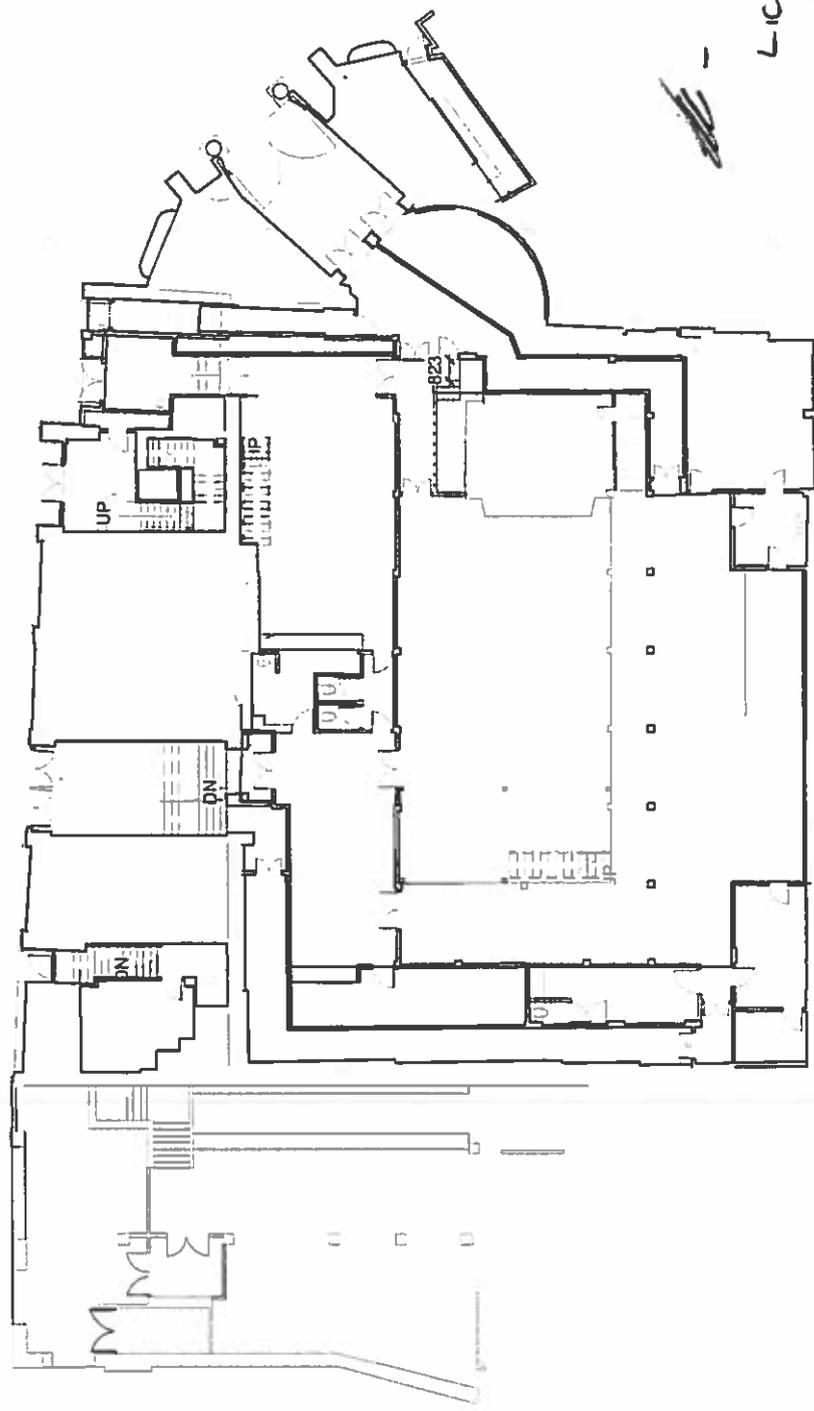
11. SIA door stewards positioned at the exits shall take all reasonable steps to ensure that patrons leave the premises in a quiet respectful manner and do not congregate outside the premises.

12. Other than recorded background music, no live or amplified music shall in the outside smoking area at any time..

13. Non sound reflective surfaces shall be used on the walls and floor where practically possible.

e) The protection of children from harm

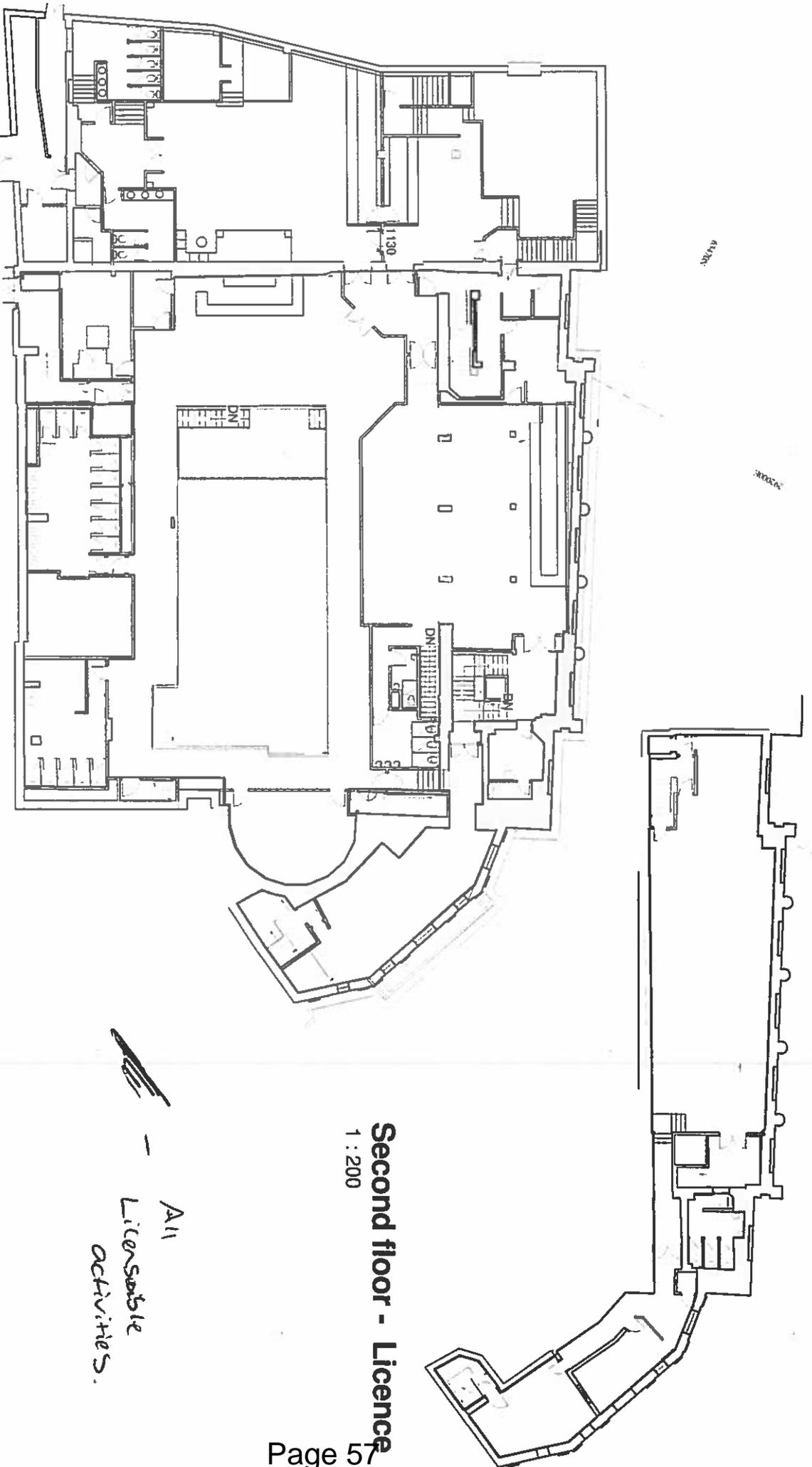
- 4. ~~b)~~ The police shall be notified in writing or email at least fourteen days prior to the event.
- 5. ~~b)~~ The police shall be notified in writing or email at least fourteen days prior to the event.
- 6. ~~b)~~ The police shall be notified in writing or email at least fourteen days prior to the event.
- 7. Under 18 and over 18 mixed concerts, comedy or similar events may take place to which the following conditions shall apply:
 - 7. ~~b)~~ The police shall be notified in writing or email at least fourteen days prior to the event.



~~ALL~~
 LICENSABLE
 ACTIVITIES

Ground Floor - Licence
 1 : 200

No.	Description	Date	CLIENT		PROJECT		SHEET	
			Mr A Hobbs		The Venue, 13 Torwood St Torquay		Ground floor licence	
			Date	Project number	Scale (@ A3)			
			4-1-17	1635	1 : 200			
			Drawn by	DRAWING NUMBER		REV		
			JD	PL7				
			Checked by					
			Checker					
			ARCHITECTURAL DESIGN		SUITABILITY DESCRIPTION		PURPOSE OF ISSUE	
			www.jd-architectural.co.uk					
			CODE	STATUS				



First Floor - Licence

1 : 200

Second floor - Licence

1 : 200

*All
Licensable
activities.*

No.	Description	Date

		ARCHITECTURAL DESIGN www.jd-architectural.co.uk	
CODE	STATUS	SUITABILITY DESCRIPTION	PURPOSE OF ISSUE

PROJECT The Venue, 13 Torwood St Torquay		CLIENT Mr A Hobbs	
SHEET First & second floor licence		Date 4-1-17 Project number 1635 Drawn by JD Checked by PLB	
Scale @ A3 1 : 200		DRAWING NUMBER PLB	
REV		Checked by	

Licensing Act 2003
Premises Licence

COPY

849

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

Venue

13 Torwood Street, Torquay, Devon, TQ1 1ED.

Telephone 01803 213903

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Monday to Sunday On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day. An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.	11:00am	3:00am
B. Exhibition of films (Indoors)	Monday to Sunday On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day. An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.	11:00am	3:00am
C. Indoor sporting event	Monday to Sunday On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	11:00am	3:00am

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

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event continued ...	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
D. Boxing or wrestling entertainment (Indoors)	Monday to Sunday	11:00am	3:00am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
E. Performance of live music (Indoors)	Monday to Sunday	11:00am	2:30am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
F. Playing of recorded music (Indoors)	Monday to Sunday	11:00am	3:00am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
G. Performance of dance (Indoors)	Monday to Sunday	11:00am	3:00am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Sunday	11:00am	3:00am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	2:30am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Sunday	11:00am	2:30am
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
	An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		



Licensing Act 2003
Premises Licence

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THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	11:00am	3:00am
On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
An additional hour to the standard and non standard hours on the day, and limited to the day, when British Summertime commences.		

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

Jam Leisure (TQ) Ltd
1 Torwood Street, Torquay, Devon, TQ1 1ED.
Telephone 01803 214446

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

Jam Leisure (TQ) Ltd
10144667

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

Alnardo Arron FOLLONI
11 Lisburne Square, Torquay, Devon, TQ1 2PT.
Telephone 01803 213903

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. PA2631
Issued by Torbay



Steve Cox
Environmental Health Manager (Commercial)
30 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



ANNEXES continued ...

drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is 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.

MANDATORY CONDITION: EXHIBITION OF FILMS

- 1) Where the film classification body is specified in the licence, admission of children must be restricted in accordance with any recommendation made by that body.
- 2) Where -
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this condition applies to the film in



ANNEXES continued ...

question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In the case of the aforementioned conditions

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification).

MANDATORY CONDITION: DOOR SUPERVISION

- 1) Where one or more individuals are carrying out security activities, each individual must be licensed by the Security Industry Authority.
- 2) But nothing in the aforementioned conditions requires such a condition to be imposed in respect of a) and b) and (b)(i) and (b)(ii)
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), are exempt.
 - (b) In respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- 3) For the purposes of the aforementioned conditions:-
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

General

1. The Venue's current policies in place to meet all licensing objectives must be reviewed when appropriate.
2. On any Thursday, Friday, Saturday and Sunday night that the premises remain open for the sale of alcohol after midnight and then close after 00.30hrs, SIA door stewards shall be employed on the premises from 22.00hrs until close, at a ratio of 1 steward per 100 customers. (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 or Designated Premises Supervisor shall risk assess the requirement for door stewards and employ such door stewards, if at all, in such numbers and at such times determined by that risk assessment.
3. The Premises shall join and participate in the Nitenet Radio Communications Scheme that operates in Torquay.
4. All drinks must be served in toughened, strengthened, polycarbonated or plastic glasses, and no alcohol shall be sold or supplied in glass bottles from which it is intended or likely that a person shall drink.
5. All doors and windows shall be shut during all licensable entertainment. (This would not include background music, which is not a licensable activity. Background music by its nature would not be loud enough to be audible in the street.)
6. There shall be no exterior sited speakers or speakers in doorways or lobbies.
7. Noise from licensable entertainment shall not be distinguishable from the ambient noise on the street 10 metres or more from the premises. This shall be assessed from the street. However, should 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



ANNEXES continued ...

and the complainants.

8. A written management plan to be in place to ensure that the doors and windows are kept closed during any licensable entertainment.
9. The management of the premises shall undertake monitoring of noise breakout from the premises and a written record needs to be kept of this monitoring. This shall be undertaken at least once per day.
10. The volume of any regulated entertainment shall be under the control of the management at all times. Should monitoring indicate that the volume should be reduced, management shall take steps to ensure that levels are reduced to those agreed in condition.
11. This premises licence applies only to the parts of the premises named below and the maximum number of persons to be permitted within those areas shall not exceed:-

Music singing and dancing - Ground Floor: 600; First Floor: 500; Second Floor: 90; Second Floor Office Bar 60.
except that
Exhibitions of Sporting Events - 450 within the whole building at any time.
12. The maximum occupancy figure being ground floor 600, first floor 500, second floor 90 and Second Floor Office Bar 60 must be checked. Steps must be taken so that once the maximum occupancy is reached, no further persons are admitted.

The Prevention of Crime and Disorder

1. Policies on the promotion of non-alcoholic drinks including water must be adhered to.
2. Tap water must be free of charge.
3. On leaving, patrons must be informed that they are entering a "no drinking zone".
4. Extensive CCTV must be provided and kept in full working order and fully compliant with Data Protection.
5. There must be supervision of queues.
6. The supply of alcohol must cease 30 minutes before the premises is shut, whereupon "mood" music will be played to patrons.
7. The premises shall join and maintain membership of the Torquay Night-time Economy Forum where a premises management representative shall attend at least 2 meetings per calendar year.
8. On every operational day when door supervision is required then those SIA door supervisors employed in front of house duties shall wear high visibility reflective jackets for the entirety of their duty.
9. There shall be no entry or re-entry of patrons to the premises after 2am, except on the morning of the day that British Summer Time commences, when entry and re-entry shall be permitted to 3am BST.
10. A CCTV system of an evidential standard, covering both inside and outside the premises, shall be installed to the satisfaction of the police. The system shall be in operation at all times the premises are open to the public. All recordings from the system shall be kept for a period of 14 days and the police shall have access and be provided with recordings where requested.
11. The DPS must hold or complete the BIIAB National Certificate for Designated Premises Supervisors within three months of commencing employment at the premises. The appropriate certificate, or copy of such certificate, must be forwarded to the Police Licensing department forthwith.

Public Safety

1. Door staff must be rotated around the club.
2. All bars must be fitted with panic lights.
3. All doors staff must be equipped with radios.



ANNEXES continued ...

4. Awareness posters for binge drinking and drink driving must be displayed.
5. There must be regular glass and bottles collection.
6. The premises licence holder and/or the DPS must maintain a health and safety risk assessment procedure.
7. The premises licence holder and/or the DPS must provide toilet attendant/medical room/qualified first aiders.
8. Fire Safety Measures for which the premises are provided, must be maintained in good working order and their adequacy will be determined on a regular basis by carrying out a fire risk assessment, as required by, and in accordance with the Fire Precautions (Work Place) Regulations.
9. The premises licence holder and/or the DPS must take precautions to maintain occupancy levels.
10. Electrical system, including portable appliances must be inspected and tested annually by a competent electrician to ensure safety.
11. Where temporary electrical equipment is to be used, a suitable circuit breaker device must be installed to cover this equipment.
12. Free drinking water must be available at all times.
13. When disabled people are present, adequate arrangements must exist to enable their safe evacuation in the event of any emergency, review and assessment of access ability in line with the Disability Discrimination Act will be completed and kept on the premises.
14. The premises licence holder and/or the DPS must ensure that at all times there are adequate first aid arrangements. Suitable protective equipment must be provided to deal with hypodermic needles, blood spillages and other body fluids.
15. Procedures must be in place to ensure that body fluids are dealt with in safe manner to avoid the risk of communicable diseases.
16. Gangways, exits routes and steps must be maintained in good order and non slippery and even surfaces.
17. A means of addressing patrons during operating hours which can be heard above entertainment, or a means of interrupting the entertainment to make important safety announcements must be made available.
18. For boxing and wrestling, an appropriately qualified medical practitioner shall be present when entertainment involving boxing, wrestling, judo, karate and other sports of a similar nature is taking place.
19. Any event involving wrestling or similar sport - the public shall not occupy any seat within 2.5 metres of the ring.
20. When a ring is constructed, it shall be of an appropriate nationally recognised standard and any material shall be of a fire resistant nature.

The Prevention of Public Nuisance

1. Noise or vibration must not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
2. The premises must be fully soundproofed.
3. Signage asking for orderly egress and patrons cannot take out bottles and drinks must be displayed.
4. A payphone within the foyer must display local taxi numbers.
5. An appropriate break in accordance with licensing conditions must be used between the supply of alcohol and the premises closing.
6. Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 11pm. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:
 - (i) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise.



ANNEXES continued ...

(iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.

7. The placing of refuse, such as bottles, into receptacles outside the premises must take place at times that shall prevent disturbance to nearby properties.
8. Deliveries of kegs, bottles, food or other materials necessary for the operation of the business shall be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
9. Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.
10. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.
11. The handling of beer kegs, bottles and other similar items shall not take place in the late evening, at night and during the early morning, when the noise generated could cause a nuisance particularly outside buildings.
12. Bottle skips and bins containing cans or bottles shall not be emptied outside after closing but shall be dealt with the next day during normal office hours.
13. All the rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting lid. This shall help prevent litter being blown around.

The Protection of Children From Harm

1. Under 18s shall only be permitted in the premises during events specified within this licence. They will not be permitted in the premises at any other time.
2. Suitable signage shall be displayed at all points of sale of alcohol to remind staff that alcohol must not be sold to persons aged under 18 years old.
3. Door staff must ask for proof of ID.
4. Under 18 events may take place to which the following conditions shall apply:
 - a) These events shall finish no later than 23:00 hours after which there will be a 30 minute period before the nightclub opens to over 18s.
 - b) The police shall be notified in writing or email at least seven days prior to the event.
 - c) During International Student events a minimum of two SIA door stewards must be employed throughout the event. In addition, the PLH/DPS shall carry out a risk assessment based on the type of event being held and taking into account the ratio of students' leaders to students attending, and employ further door stewards, if at all, at such times and in such numbers as determined by that risk assessment.
 - d) All alcohol shall be locked away and/or obscured from view.
 - e) All gaming machines with prizes shall be unplugged and locked.
 - f) All promotional material relating to alcohol shall be removed.
 - g) Any person refusing to be searched shall be refused entry.
 - h) The event shall be promoted to ages 14 years and above.
 - i) International Student events shall be restricted to International Students only.
 - j) Throughout under 18 events, the DPS or personal licence holder must be present.
5. Under 18 and over 18 mixed martial arts/boxing or similar events may take place to which the following conditions shall apply:
 - a) These events shall finish no later than 23:00 hours. After the event has finished, those who are over 18 years old



ANNEXES continued ...

may re-queue outside the premises for entry to the second floor via separate entrance.

b) The police shall be notified in writing or email at least seven days prior to the event.

c) At least six SIA door stewards must be employed throughout the event.

d) Persons over the age of 18 will be identified by a door steward or the DPS or the personal licence holder who will apply a wristband to that individual. No alcohol will be served to anyone without a wristband and anyone between the age of 14-17 years must be accompanied by a responsible adult.

e) Throughout the event the door stewards will request and check ID of those people consuming alcohol to ensure that no-one under the age of 18 is consuming alcohol. Bar staff will still check ID while serving drinks including those people who are wearing wristbands. Staff will not serve alcohol to anyone they believe may be purchasing alcohol on the behalf of someone else, and in these circumstances staff will immediately inform a member of management or a member of door staff.

f) The main staircase shall have a rope barrier running down the centre keeping a free moving area for patrons. If this becomes unsafe, the barrier will be removed and a member of security will be put in place to keep the area free from spectators.

g) All seating and tables shall be removed from the balcony area to prevent any spectators from standing on these and security will continue to monitor this area throughout the event.

h) Any person refusing to be searched shall be refused entry.

i) The event shall be promoted to ages of 14 years and above.

j) The DPS or personal licence holder must be present throughout the event.

6. Under 18 and over 18 South Devon College showcase events may take place to which the following conditions shall apply:

a) Events shall finish no later than 23:00 hours after which there will be a 30 minute period before the nightclub opens to over 18s.

b) The police shall be notified in writing or email at least seven days prior to the event.

c) At least one SIA door steward must be employed throughout the event.

d) Persons over the age of 18 will be identified by a door steward or the DPS or the personal licence holder who will apply a wristband to that individual. No alcohol will be served to anyone without a wristband and anyone between the age of 14-17 years must be accompanied by a responsible adult.

e) Throughout the event the door stewards will request and check ID of those people consuming alcohol to ensure that no-one under the age of 18 is consuming alcohol. Bar staff will still check ID while serving drinks including those people who are wearing wristbands. Staff will not serve alcohol to anyone they believe may be purchasing alcohol on the behalf of someone else, and in these circumstances staff will immediately inform a member of management or a member of door staff.

f) Any person refusing to be searched shall be refused entry.

g) The event shall be promoted to ages of 16 years and above.

h) The DPS or personal licence holder must be present throughout the event.

7. Under 18 and over 18 mixed comedy or similar events may take place to which the following conditions shall apply:

a) These events shall finish no later than 23:00 hours. After the event has finished, those who are over 18 years old may re-queue outside the premises for entry to the second floor via separate entrance.

b) The police shall be notified in writing or email at least seven days prior to the event.

c) At least four SIA door stewards must be employed throughout the event.



ANNEXES continued ...

- d) Persons over the age of 18 will be identified by a door steward or the DPS or the personal licence holder who will apply a wristband to that individual. No alcohol will be served to anyone without a wristband and anyone between the age of 14-17 years must be accompanied by a responsible adult.
- e) Throughout the event the door stewards will request and check ID of those people consuming alcohol to ensure that no-one under the age of 18 is consuming alcohol. Bar staff will still check ID while serving drinks including those people who are wearing wristbands. Staff will not serve alcohol to anyone they believe may be purchasing alcohol on the behalf of someone else, and in these circumstances staff will immediately inform a member of management or a member of door staff.
- f) The main staircase shall have a rope barrier running down the centre keeping a free moving area for patrons. If this becomes unsafe, the barrier will be removed and a member of security will be put in place to keep the area free from spectators.
- g) Any person refusing to be searched shall be refused entry.
- h) The event shall be promoted to ages of 16 years and above.
- i) The DPS or personal licence holder must be present throughout the event.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Public Safety

- 1. The use of the Martin Atomic 3000 DMX shall only be permitted in instances where the flicker rate of the output unit is three and a half flicks per second or less.

The Prevention of Crime and Disorder

- 1. The premises must not operate 'All inclusive' drink promotions of any kind.
- 2. All drink promotions shall be managed in a responsible manner.
- 3. A Personal Licence Holder shall be on duty at all times whenever the premises sell or supply alcohol.
- 4. Any person 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.
- 5. A record of all staff training, including copies of all relevant BIIAB Certificates, shall be kept on the premises and be available to the police or Local Authority Licensing Officers for inspection on demand. Such records to be kept at the premises for a minimum of 12 months.
- 6. Notices regarding the 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.
- 7. Notices regarding the sale of alcohol to persons who appear drunk, shall be prominently displayed on the premises and at the entrance to the premises, for the attention of all customers.
- 8. Whenever the premises offer drink promotions, there shall be an SIA qualified door steward, strategically positioned in the area of each bar that is offering such promotions.
- 9. The DPS shall ensure that a written record of all bar staff employed each day the premises are open for the sale and supply of alcohol, is maintained and kept on the premises. Such record must be retained for a minimum of 12 months, and be available to the police or Local Authority Licensing Officers on demand.
- 10. The DPS must hold or complete the BIIAB National Certificate for Designated Premises Supervisors within 3 months of employed at the premises. In respect of the current DPS, Mr Dean Sanders, this must be done within 3 months. The appropriate certificate, or copy of such certificate, must be produced to the police forthwith.
- 11. The DPS shall ensure that an Incident Book is kept on the premises and that all incidents are recorded therein on a daily basis. The Incident Book shall be made available for inspection by a police officer, a police licensing officer or



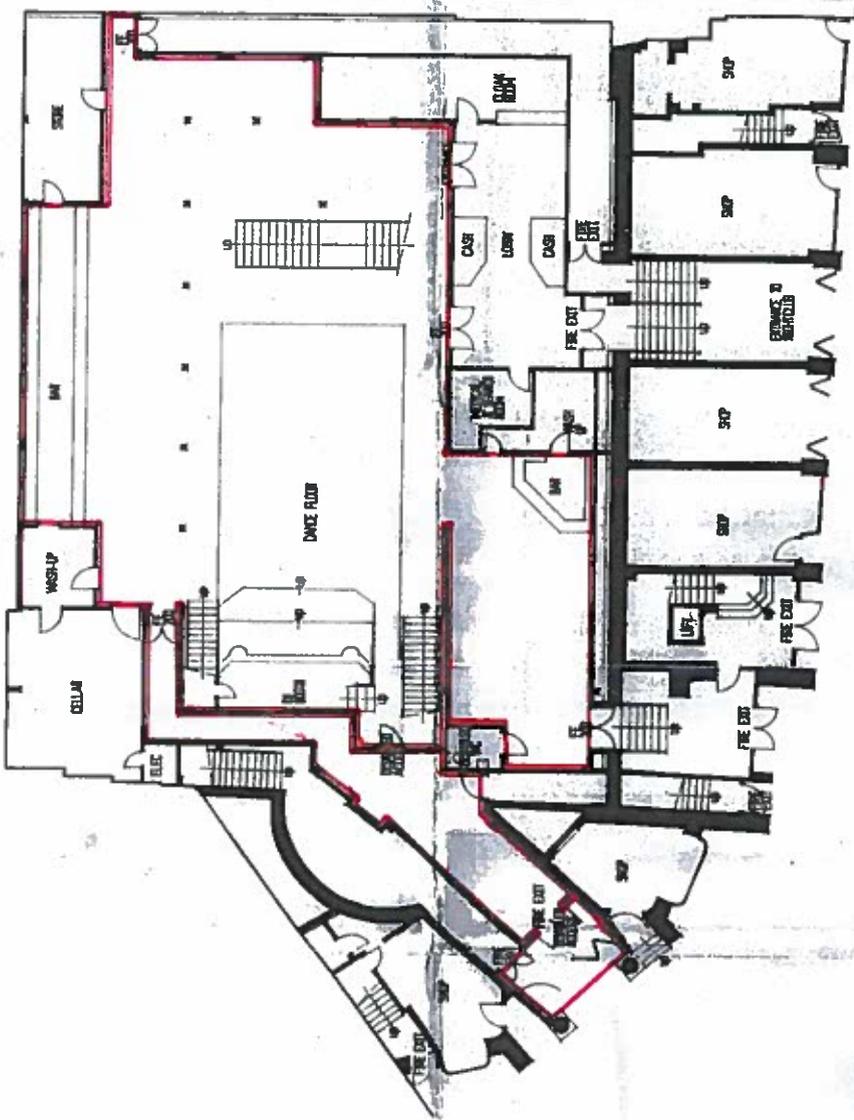
ANNEXES continued ...

members of the local authority licensing section on demand and such records to be kept at the premises for a minimum of 12 months.

ANNEXE 4

PLANS

Copy attached to Licence.



 = Licensed area

ground floor plan

You must contact the Building Control Officer at the Council Offices in this office before further work is carried out.
Structural conditions, calculations, details of stability and support must be provided as necessary by a Civil and/or Structural Engineer.
Advance site investigations must take place before any work commences to ensure that the Contractor is fully aware of all site conditions. To include, as necessary, trial holes for foundations, underpinning etc.
IF YOU HAVE ANY DOUBT WHATSOEVER YOU MUST ASK BEFORE PROCEEDING FURTHER!!
These drawings remain the Copyright of CHRISTOPHER STACEY ARCHITECTURE under the Copyright Act.



site location plan

EMERGENCY LIGHTING TO BS 5266 PART 1 1989
SIGNS - THE HEALTH & SAFETY (SIGNS & SIGNALS) REGULATIONS 2005
LOADS - FIREWORKS - STORAGE APPROVED POSITIONS TO FFE DOTS
FIRE ALARMS TO BS 5839 PART 1 1988
FIRE FIGHTING EQUIPMENT TO BS 5430

PREPARED AS PART OF A LARGER ADDITIONAL INFORMATION PROJECT
ALL SIZE AMENDMENTS TO LIMIT

letter date revision
The Venue
SCALA BUILDINGS
TURWOOD STREET
TORQUAY

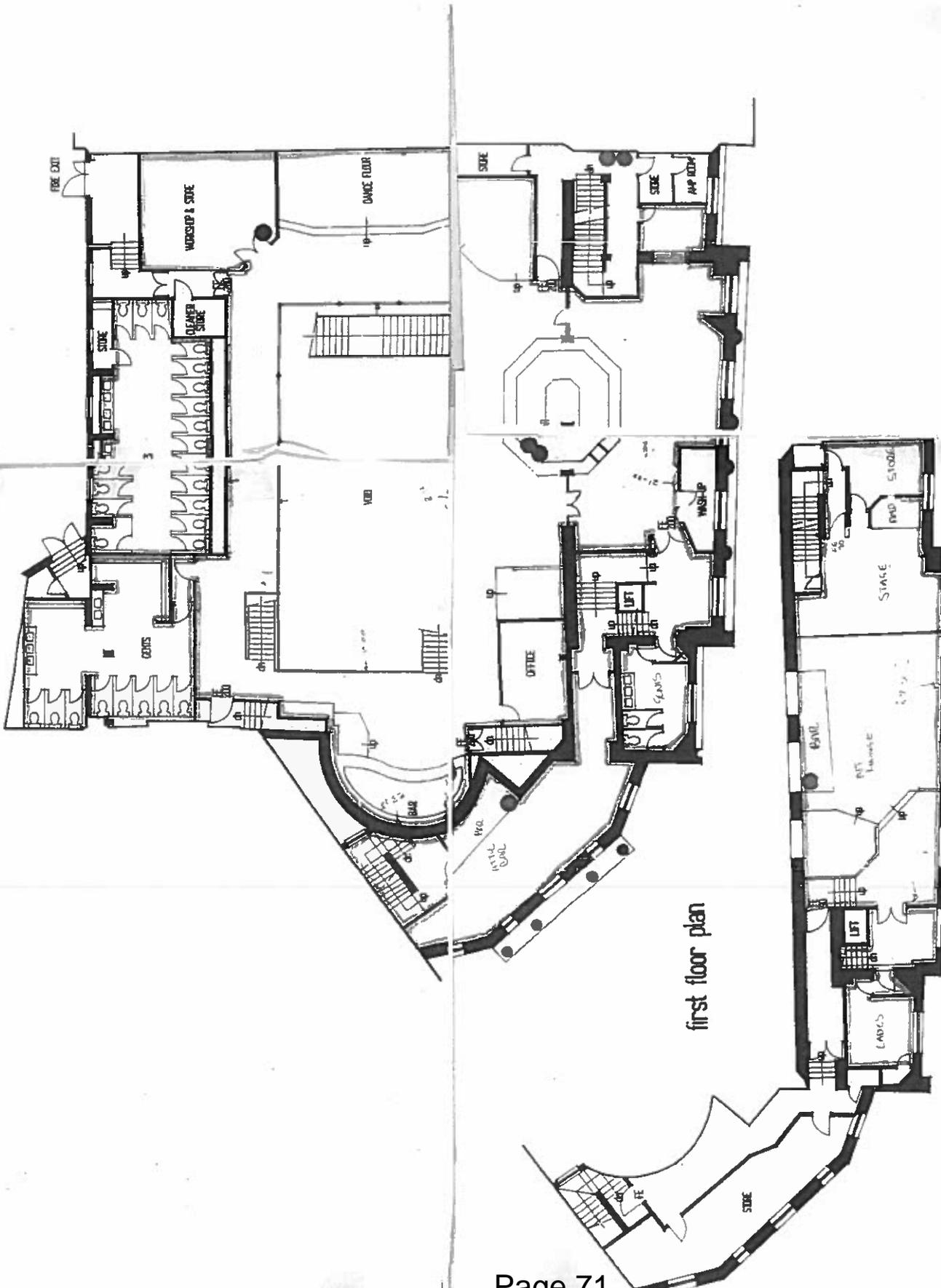
PROJECT
PROPOSED INTERNAL ALTERATIONS

LICENCE APPLICATION
DRAWING
GROUND FLOOR PLAN

CHRISTOPHER STACEY
ARCHITECTURE

SEMPHON HOUSE 70-72 ARMY ROAD TORQUAY TQ2 2 8H
TEL 01803 272962 FAX 01803 296275

scale	1:100	date	4.02.05	by	CS
sheet no	10	of no sheets	15	drawn by	CS





Devon & Cornwall Police

Licensing Team
Torbay Council
C/O Torquay Town Hall
Castle Circus
TORQUAY
TQ1 3DR

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

Telephone: 01803 218900

16 February 2017

Dear Sir/Madam

The Venue, 13 Torwood Street, Torquay, TQ1 1ED

I refer to application for the Variation of the Premises Licence in respect of the above named premises, submitted by the applicants, Jam Leisure (TQ) Limited. The directors of this company are Mr Adrian Hobbs and Mrs Jacqueline Hobbs.

For your information Mr and Mrs Hobbs are also the directors of Jam Leisure (Park Lane) Ltd, who holds the Premises Licence in respect of the Park Lane, 1 Torwood Street, Torquay. An application for the variation of the premises licence in respect of this premises has also been submitted to Torbay Council.

My Police Licensing Officer, Mrs Julie Smart, and Sgt Mike Norsworthy (Licensing Sergeant Devon) have met with Mr Hobbs, and various members of the management teams of Park Lane and the Venue, several times over the last few months in relation to these variation applications. The police do not object to this application but would like to provide you with the following information which may assist you when considering this application.

Mrs Smart advises me that the variation applications have been made to change the layout of both premises. An interconnecting doorway is to be created on the first floor and, at times, customers will be allowed to move between the two premises. In addition, in respect of the Venue, other internal alterations will be made to provide a new smoking area and a 'retro club' within the main building. These changes of layout should help alleviate concerns regarding the crowding of customers on the first floor of

Contact the police

Emergency 999

Non-emergency www.devon-cornwall.police.uk/reportcrime

✉ 101@devonandcornwall.pnn.police.uk 101

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Park Lane and reduce the queue for the smoking area within Park Lane, as customers will be directed to an alternative smoking area within the Venue. It is also anticipated that fewer customers will smoke outside the Venue, thus reducing the likelihood of noise and public nuisance on the street. Mrs Smart and Sgt Norsworthy are satisfied that the changes of layout of both premises will not impact on any of the licensing objectives.

The applications also seek to remove and add additional conditions to the licences. Mrs Smart and Sgt Norsworthy have carefully considered these and do not anticipate that the proposed amendments will impact on any of the licensing objectives.

In respect of Park Lane, the applicants are reducing the opening hours on Saturdays to match the rest of the week, ie 1000 hrs until 0330 hrs. In respect of the Venue, the applicants are seeking to extend the sale of alcohol by an additional 30 minutes every day of the week, ie from 1100 to 0230 hrs to 1100 hrs to 0300 hrs, closing 30 minutes thereafter. This will mean that both Park Lane and the Venue can sell alcohol until 0300 hrs daily, and this will prevent the flow of customers from one premises to the other in the lead up to closing. At the present time customers leave The Venue at 0300 hrs however many use the services of the takeaways and do not leave the area immediately after leaving the premises. Therefore the police do not consider that this alignment of closing times will have a detrimental effect on any of the licensing objectives.

In addition, Mrs Smart advises me that she has worked very closely with the management teams of both premises during the last couple of years. From statistics prepared by Mrs Smart, it is evident that recorded crime at both premises has reduced year on year. In respect of Park Lane in 2016 there was a 17.2% reduction of crime compared to 2015. In respect of the Venue, in 2016 there was a 26.4% reduction of crime compared to 2015.

Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

Yours faithfully



Superintendent M Lawler
Territorial Policing & Partnership Department

Guy, Mandy

From: Cox, Steve
Sent: 16 February 2017 15:50
To: Guy, Mandy
Subject: Representation regarding two applications

Dear Mandy

I am writing these representations, the same for both, with regard to the Prevention of Public Nuisance Objective.

Park Lane 1 Torwood Street, Torquay TQ1 1ED and Venue 13 Torwood street, Torquay TQ1 1ED

I wish to make representation on behalf of the Responsible Authority for Environmental Health dealing with noise nuisance in respect of both variation applications for the above premises.

There have been complaints relating to noise emanating from both premises. Visits have been made to the premises from officers relating to noise issues and these matters have been discussed with both the owner and management of the premises.

Following the takeover of the Venue by the owners of Park Lane, a visit took place to discuss the noise issues both past a current and a full explanation of the proposed alterations to the premises was given at that time. All of the local authority concerns and details pertaining to complaints that had been received were discussed and assurances given by management in respect of both premises that measures would be put in place to combat further issues.

The applications have been submitted in accordance with the discussed measures and it is hoped that a premises operating under the revised (should they be granted) licences will bring about a vast improvement. It is difficult to assess the degree of any positive impact at this stage, however, the noise measures incorporated into the renovations to the building are of a standard that suggests that the outbreak of noise will be reduced in comparison to previously.

In view of this, the environmental health team are not objecting to the application as such, however, on the basis that Members are required to consider the merits of the application and that they may therefore have technical questions to ask of noise officers, this representation allows for an officer to be present at the hearing and ensures that measures discussed are incorporated on any licence that is deemed to be granted.

Steve Cox
Environmental Health Manager (Commercial)
Torbay Council
C/o Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel: 01803 208025
Fax: 01803 208043



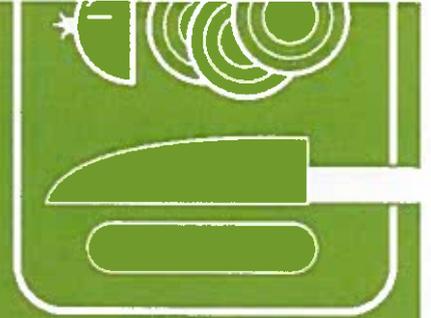
Food Safety and Licensing

 @TorbayFSL



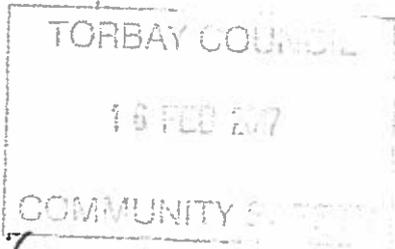
Community Safety

Tel: 01803 208025 www.torbay.gov.uk/licensing



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Re: Application for Variation
of Licence at the
Venue - 13 Torrwood St.
046304



Tel: [REDACTED]
Email: [REDACTED]

Dear Sir,

I wish to lodge an objection to the proposed variation of use on the above premises to that of a live music venue. I have lived at this address for a number of years and my neighbours and I have had occasion to make complaints to Torbay Council with regard to excessive noise and vibration with no satisfactory long term outcome. I have noted from an item in the Herald Express today that this application seems to be something of a fait accompli - I have enclosed a clipping from the Herald Express for your perusal! Our objections relate to the prevention of Public Nuisance.

1. "Noise or vibration must not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed"
IT DOES and we ARE - frequently!
2. "The Premises must be fully soundproofed!"
Has the council proof that this is the case?
3. "Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 11pm ..."

It has never been possible to have a window open when this club is in operation - such is the extent of the noise and vibration.

Mr Karl Martin of Torbay Council has been aware of our problems and complaints for some time and whenever a complaint is resolved it soon returns and over a period of over 15 years of complaints this has become exhausting for us.

With regard to THE PREVENTION OF CRIME AND DISORDER

We have had problems with people accessing the rear of the property where we live in order to attempt to gain access to the club. This is both dangerous and worrying as we are unable to differentiate between clubbers and burglars. Our back lane and Park Lane steps are frequently used as a public urinal. Our neighbours have had people on their roof and have had to notify police about youths on the roof of the Venue - both conscious and unconscious!

There appears to have been a significant Police presence when this club is operating - who pays for this? Is a live music venue a good idea when it will come at a large cost to the taxpayers?

I hope that you will take note of our objections. I realise that I can take formal action with a noise abatement EPA90 but have always hoped that the Council will adhere to the letter of the law!

Yours sincerely

Two nightspots to emerge from one in town centre

By ZOE STEVENS

zoe.stevens@heraldexpress.co.uk
Twitter: ZoeStevensHE

NEW owners of Torquay's Venue nightclub have pledged to 'reignite the area's reputation on the national music scene with the transformation of the nightspot.

Adrian Hobbs, has taken on the business, situated in the historic Scala Buildings in Torwood Street, just yards from his Park Lane club.

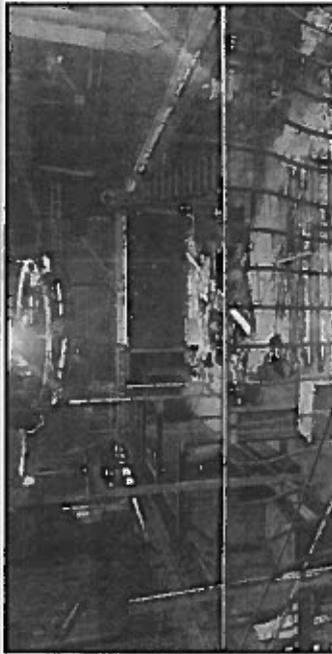
His company has already reopened, as part of plans to redevelop the entire building to create a 'multiple space music complex, offering a range of events'.

Now, The Venue, which is currently closed, is being transformed into two new clubs called Decades and The

The Foundry's official opening night is set for April 15, however, they have confirmed they have teamed up with Grinagog to be one of the event spaces for this April's festival the week before.

Managing director, William Hobbs, said: "We felt the music scene and culture had become under-represented in the south west and we believed by taking on the old Venue nightclub we had found the perfect building to invest in and reignite the region's reputation on the national music scene.

"We had been looking at other sites in Devon and Exeter. However we felt that with Torquay's stunning scenery and the current rejuvenation in the local economy and infrastructure, Torquay has the potential to become Britain's favourite seaside destination



WORK PROGRESSING: The Foundry, Torquay

The team say they have lined up world renowned DJs, live acts and bands and have revealed they will be one of the locations hosting events for the Grinagog festival in April.

It spells a new future for the listed building, which was once the Victorian Shopping Arcade.

been working tirelessly the last two months, working alongside international promoters, brands and festival organisers to bring a series of world class events to Torquay.

"We have just finalised our launch series, running up until July 1, and have 14 huge events and headline DJs booked in. We

TORBAY COUNCIL
16 FEB 2017
COMMUNITY SAFETY

15TH FEBRUARY 2017.

Dear Sir, Madam.

Having read and reviewed the criteria incorporated within the documents involving both establishments namely (1) Venue, 13 Torwood St, O46304 (2) Park Lane N^O 1 Torwood St, O46301 placed within your website

Torbay.gov.uk informing the general local residents and others within the vicinity of potential changes of usage for such venues.

I wish to have known that we object to any change of usage for either venue.

We have until now been fairly quiet and not objected too harshly for past episodes of what could only be described as NOISE causing Public Nuisance. to our home which is situated in very close proximity to both the above named establishments.

(1) Venue - we wish to protest their application on the grounds that the noise, experienced only recently will be gratefully exasibated if their re-newed application gets accepted and enter this complainr with the Public Nuisance remit. The vibration from the constaur BASE is at times intolerable & could get worse if this application is granted -

(2) Park Lane - Gives us great concern if their applicatn is accepted as only recently we had to inform the police that a person/persons were both climbing on our roof

and then onto the roof above the 'Veuve' hoping to gain access to the 'Roof Garden' at the top of the Park Lane veuve.

My last report to police was before Christmas 2016 as a gentleman had climbed onto the Veuve roof and unfortunately did not gain said access but was forced to fortunately SLEEP off his intake of alcohol.

However from my vantage point all I could see was a lifeless body on the roof, not knowing if he was injured or deceased I called the police who dealt with the individual.

I feel that this intrusion will happen more often and would be likely to be considered as a Public Safety problem.

We have had on two occasions some involvement with the Environmental Health dept and must I visit from Mr Karl Martin, who agreed with his colleagues that the noise we were experiencing was unacceptable, but did nothing to assist etc - - Or even inform us of any outcome from further conversations etc - -

We therefore wish to voice our concern as regular Community Charge payers to these two establishments making further developments that we feel will make our present situation even more intolerable. Asking you to record our dis consent.

Thank You