



Wednesday, 10 May 2017

LICENSING SUB-COMMITTEE

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

Thursday, 18 May 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 Doggett
Councillor Thomas (J)

Councillor Thomas (D)

A prosperous and healthy Torbay

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

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

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes** (Pages 3 - 9)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 10 March 2017 and 6 April 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. **Belgrave Stores, 92 Belgrave Road, Torquay** (Pages 10 - 23)
To consider an application for a Premises Licence in respect of Belgrave Stores, 92 Belgrave Road, Torquay.
7. **Bolton Hotel, New Road, Brixham** (Pages 24 - 82)
To consider an application for a Variation to a Premises Licence in respect of Bolton Hotel, New Road, Brixham.



Minutes of the Licensing Sub-Committee

10 March 2017

-: Present :-

Councillors Ellery, Pentney and Thomas (J)

28. Election of Chairman/woman

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

29. Minutes

The Minutes of the meeting of the Sub-Committee held on 5 January 2017 were confirmed as a correct record and signed by the Chairman.

30. Park Lane, 1 Torwood Street, Torquay

Members considered a report on an application for a Variation to a Premises Licence in respect of Park Lane, 1 Torwood Street, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation providing information regarding the application.	16 February 2017
Environmental Health Manager (Commercial) on behalf of Public Protection	Representation providing information regarding the application.	16 February 2017
Members of the Public	Two representations objecting to the application on the grounds of Public Nuisance and Crime and Disorder.	15 February 2017

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined their application and responded to Members questions.
Police	The Police outlined their representation and responded to

	Members questions.
Public Protection	The representative for Public Protection outlined their representation and responded to Members questions.
Member of the Public	A Member of the Public outlined his objection to the application.
Member of the Public	A Member of the Public outlined his objection.
Member of the Public	A Member of the Public outlined her objection.

Decision:

That the application for a variation to a Premises Licence in respect of Park Lane, 1 Torwood Street, Torquay be granted as applied for.

Reason for Decision:

Having carefully considered all the oral and written representations, Members resolved to grant the licence having been satisfied that historical concerns raised by either members of the public or the Responsible Authorities had been addressed by the Applicant and that by the Responsible Authorities oral submissions at the hearing, the Applicant has demonstrated a real willingness to operate his premises in harmony with nearby residents so as not to cause a nuisance.

In coming to that decision, Members noted the considerable and costly efforts made by the Applicant in structurally altering the premises to ensure that any potential noise outbreak emanating from his premises would not cause a nuisance to nearby residence.

Members further noted that the both the Police and Public Protection had not objected to this application and that the Applicant having consulted the Responsible Authorities prior to submitting his application, had taken on board their submissions which were reflected in the applications operating schedule.

In respect of increasing the capacity of patrons using the roof terrace from 80 to 100, Members gave careful consideration to how this could potentially impact nearby residence but resolved that there was no real increased risk, having heard from the Council's Public Protection Officer.

When examining the intended use between this premise and the neighbouring premise, Members resolved that the internal door would in fact reduce the number of potential patrons from transferring on the street level and in doing so, would decrease noise levels previously experienced and complained of by members of the public present at the hearing.

In concluding Members noted that should issues arise and not be resolved as a result of granting this licence, members of the public and the Responsible Authorities would be able to review the premises licence.

31. Venue, 13 Torwood Street, Torquay

Members considered a report on an application for a Variation to a Premises Licence in respect of Venue, 13 Torwood Street, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation providing information regarding the application.	16 February 2017
Environmental Health Manager (Commercial) on behalf of Public Protection	Representation providing information regarding the application.	16 February 2017
Members of the Public	Two representations objecting to the application on the grounds of Public Nuisance and Crime and Disorder.	15 February 2017

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined their application and responded to Members questions.
Police	The Police outlined their representation and responded to Members questions.
Public Protection	The representative for Public Protection outlined their representation and responded to Members questions.
Member of the Public	A Member of the Public outlined his objection to the application and responded to Members questions.
Member of the Public	A Member of the Public outlined his objection and responded to Members questions.

Applicant's response to Representations:

At the meeting the applicant circulated a drawing which demonstrated how the roof of the building was receiving sound proof treatment. Pictures were also circulated by the applicant to demonstrate the sound proofing works being undertaken on the walls of the building.

Decision:

That the application for a variation to a Premises Licence in respect of Venue, 13 Torwood Street, Torquay be granted as applied for subject to the following amendments:-

- i) Remove condition 2 from the operating schedule and replace with - 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 Torbay Council's Public Protection Team prior to the premises opening and will be reviewed on an agreed basis between the Council's Public Protection Team and Premises License Holder to ensure that any actual or potential noise outbreak is addressed in a timely manner.
- ii) Remove Condition 10 from the operating schedule and replace with - From 23:00hours until the premises closes, a SIA door steward shall monitor the smoking area and ensure that patrons behaving in a noisy manner are either asked to leave or return inside the premises.
- iii) Remove Condition 12 from the operating schedule.
- iv) Remove Condition 13 of the operating schedule and replace with - Non sound reflective surfaces shall be used on the walls and floor within the smoking area where practically possible.

And in addition to the following conditions:

- v) All patrons consuming drinks in the smoking area must cease doing so at 23:00hours and arrangements must be in place by the Premises Licence Holder for all glasses to be cleared from that area at 23:00hours. Those patrons wishing to continue drinking must be advised to do so inside the premises.
- vi) Patrons shall not be permitted to take drinks into the smoking area after 23:00hours.
- vii) After 23:00 hours, the number of patrons permitted to use the smoking area shall be limited to a maximum of 80 patrons at any one time.

Reason for Decision:

Having carefully considered all the oral and written representations, Members resolved to grant the Licence having been satisfied that the amendments to the operating schedule and the additional conditions would seek to alleviate the concerns raised by members of the public who had made a representation.

In coming to their decision, Members noted the proven track record of the Applicant in working with the Responsible Authorities to ensure that premises to which he was the Premises Licence Holder of were operated in a responsible manner which sought to promote the Licensing Objectives. In addition to the considerable and costly efforts made by the Applicant in structurally altering this premise to address historical complaints which occurred before the Applicant took over the premises and to ensure that any potential noise outbreak emanating from his premises in the future would not cause a nuisance to nearby residence

Members further noted that the both the Police and Public Protection had not objected to this application and that the Applicant having consulted the Responsible Authorities prior to submitting his application, had taken on board their submissions which were reflected in the applications operating schedule.

When examining the intended use between this premise and the neighbouring premise, Members resolved that the internal door would in fact reduce the number of potential patrons from transferring on the street level and in doing so, would decrease noise levels previously experienced and complained of by members of the public present at the hearing.

In concluding Members noted that should issues arise and not be resolved as a result of granting this licence, members of the public and the Responsible Authorities would be able to review the premises licence.

Chairman



Minutes of the Licensing Sub-Committee

6 April 2017

-: Present :-

Councillors Pentney, Sykes and Thomas (J)

32. Election of Chairman/woman

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

33. Minutes

The Minutes of the meeting of the Sub-Committee held on 9 February 2017 were confirmed as a correct record and signed by the Chairman.

34. Review of a Torbay Council Drivers' Licence

Members considered a report and exempt appendices that set out a number of complaints and other information relating to the conduct of the holder of a dual Hackney Carriage and Private Hire drivers licence.

Decision:

That the Licenced Driver's dual Torbay Council Driver's Licence be suspended for a period of three months, in accordance with Section 61(1)(b) of the Local Government (Miscellaneous) Provision Act 1976 and that this suspension shall have immediate effect, in accordance with Section 61(2B) of the Local Government (Miscellaneous) Provisions Act 1976.

During the period of suspension, Licenced Driver, as named in the exempt report, must undertake an anger management course and produce written evidence to that effect to Torbay Council's Licensing Department. Failure to do so will result in the Licenced Driver's dual Torbay Council Driver's Licence being revoked with immediate effect.

Should the Licenced Driver complete the anger management course within a two month period from the date of the suspension and produce written evidence to that effect, then the period of suspension will be reduced by a period of one month.

Reasons for Decision

Having carefully considered all the oral and written representations, Members resolved to suspend the Licenced Driver's, as named in the exempt report, dual

Torbay Council Drivers Licence, as in their opinion they could not be satisfied that he remained a 'fit and proper person' to hold such a licence.

In coming to that decision, Members applied the test set out in Appendix A, Section 1.2 at page 26 of Torbay Council's current Hackney Carriage and Private Hire Licensing Policy, having noted that all the incidents before them had occurred whilst the driver named in the exempt report was on duty as a driver licensed by Torbay Council, the time frame in which those incidents occurred, the nature and number of those incidents and that the named driver had previously received two written warnings about such conduct.

Whilst Members acknowledged that taxi drivers do operate within an environment that can at times be challenging; there is a reasonable expectation by them that licensed drivers will conduct themselves in a professional and responsible manner. With this in mind, Members resolved that the conduct of the Driver named in the exempt report fell well below the standard reasonably expected by them of a driver licensed by Torbay Council and that at times, his conduct was unnecessarily confrontational putting not only himself but also his passengers and potentially other road users at risk.

In concluding, Members gave careful consideration to revoking the driver's licence (the driver named in the exempt report) but resolved that in light of way in which Driver had presented at the hearing, it was on this occasion appropriate to suspend his driver's licence for a period of three months and impose a requirement to undertake an anger management course. With regards to the suspension having immediate effect, Members resolved that for the reasons given above, the Driver named in the exempt report currently presented as a high risk when considering public safety.

Chairman/woman



Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for Premises Licence in respect of Belgrave Stores, 92 Belgrave Road, Torquay TQ1 5HZ**

Wards Affected: **Tormohun**

To: **Licensing Sub Committee** **18 May 2017**

Contact Officer: **Mandy Guy**
Telephone: **01803 208293**
E.mail: **Licensing@torbay.gov.uk**

1. Key points and Summary

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

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

- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant and Interested Party following the determination of the matter.

2. Introduction

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

A brief description of the application, as follows:

The Supply of Alcohol from 06.30 until 23.00 seven days a week on and off the premises.

To be open to the public from 06:30 until 23.00 7 days a week.

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

We have received 2 Representations from a Member of the Public who is the Chairperson of two individual organisations in relation to the licensing objectives "The Prevention of Crime and Disorder" and "The Prevention of Public nuisance". This is shown as Appendix 2.

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

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

exclude a licensable activity or refuse to specify person as Premises Supervisor.

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

Frances Hughes
Executive Head Community Safety

Appendices

Appendix 1 Details of the application.

Appendix 2 Two Representations from a Member of the Public who is the Chairperson of two individual organisations.

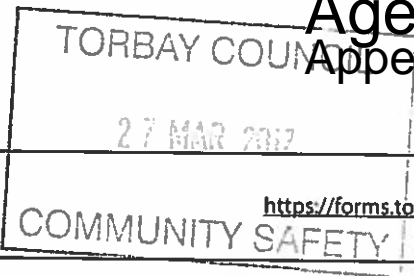
Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2016.



Torbay
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

Applying as an individual

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

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

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

Registration number

Business name

VAT number

Legal status

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Your position in the business

Home country

Agent Registered Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

The country where the headquarters of your business is located.

Address registered with Companies House.

Section 2 of 19

PREMISES DETAILS

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

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

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

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

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

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

State any seasonal variations

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

None

Continued from previous page...

Section 16 of 19

ADULT ENTERTAINMENT

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

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

None

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

None

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

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

None

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

SEE BELOW

b) The prevention of crime and disorder

1) A CCTV camera system covering the premise is to be installed. The CCTV recordings are to be maintained for 28 days and to be provided upon reasonable request to either a Police Officer or an officer of any other Responsible Authority and in accordance with the DPA. The system will operate at all times the premises is open for a licensable activity.

c) Public safety

An incident register will be maintained at the premises and made available to the authorities on request.

d) The prevention of public nuisance

A notice will be on display asking that the customers leave the area quietly and respect the local residents.

All staff at the store will be trained in how to manage any person who they suspect may create a public nuisance in the area of the store. Such people will be asked to leave the area quietly (if safe to do so) an entry will be made in the incident register.

e) The protection of children from harm

The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the

Continued from previous page...

age of 25 they will be asked for proof of their age, to prove that they are 18 years or older.

Posters will be on display advising customers of the 'Challenge 25' policy.

The only forms of identification that will be accepted at the premises are a passport, photo-card driving licences, & cards bearing the 'PASS' hologram.

Staff will be trained before making sales of alcohol in their responsibilities under the Licensing Act 2003. Training will be documented & made available to the Police & authorised officers of the council upon reasonable request.

Staff retraining will take place every 6 months.

A refusal and challenge register will be in use at the premises. This can be in the form of a written document or electronic. It will be maintained and staff will record refusals and challenges made. The document will be checked on a regular basis by the CPS.

Section 19 of 19

PAYMENT DETAILS

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

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

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

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

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

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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

15 APR 2017

COMMUNITY SAFETY

Belgrave Stores, 92 Belgrave Road, TQ2 5HZ.

Dear Sir

I am writing as Chair of Torre and Upton Community Partnership to object to the current application for the above address. The matter of this application was raised at our recent meeting, and I have been asked by the community to object on their behalf.

This address is situated within the ward of Tormohun, which has some of the highest rates of multiple deprivation not only in Torbay, but in the whole country. Many of these residents are living in low grade accommodation, are unemployed and have various different addictions, one of these being alcohol. To be faced with people walking past in the street at all times of the day and night obviously in the grip of alcohol addiction is not only depressing, but frankly alarming. Nobody should feel that they need to cross to the other side of the road for their own safety, or that of their children, but this is the case where we live.

There are already off licenses held by several stores in a relatively small area, and there is no need for yet another outlet. The building, 92 Belgrave Road, did formerly hold such a license, but this was surrendered in 2014. This did result in a decrease in anti social behaviour in Belgrave Road and in Church Street immediately opposite. Both these roads are used regularly, not only by their residents, but by mothers walking their children to Cockington Primary School. They deserve to be able to walk without fear of seeing or hearing the intimidating and aggressive behaviour of street drinkers. Church Street is a quiet residential area, with homes lived in by families, working adults and there is also a retirement block. The houses open straight onto the street, and to once again have drunken behaviour right outside your living room, or to not know what you will face when stepping out of your front door, would be a retrograde step.

There is an ongoing problem with several different groups of street drinkers around Lucius Street and St Andrews Churchyard at the end of Lucius Street. Police are called to deal with these drinkers on a regular basis, and it has got so bad in fact, that the temporary CCTV camera is being installed to try and help with policing the problem. Lucius Street is the main road for tourists to walk from the Belgrave Road hotels into Torquay town centre. What they are faced with on a

daily basis is not a good advertisement for Torquay. We should be providing a safe environment for our visitors, not putting them off returning to the Bay.

There is no acknowledgement in the application of the social problems caused by alcohol in this area. The boxes appear to be ticked, but there is nothing specific that would give us confidence that the cheap alcohol that will be available for sale will not be provided to whoever hands over their money. There is also no address for the licensee – is he local, does he have knowledge of the problems here, does he know how many HMO properties are in the adjoining streets? To provide yet another source of cheap alcohol is not only unacceptable to members of the local community, but would be regarded by them irresponsible on the part of the Licensing Authority.

If you do decide to grant this application, we see no reason why alcohol needs to be bought at 6-30am. In fact were you to agree to this early time, we would see it as enabling those with alcohol addictions. We would ask that restrictions are placed limiting sales to the times that were granted to the previous licensees, should you agree to the application.

Regards

Belgrave Stores, 92 Belgrave Rd, 142 2112
SR 237249

Dear Sir

I am writing as Chair of Friends of the Churchyard in Torre to object to the current application for the above address.

There are already several retail outlets in the immediate neighbourhood selling alcohol, and this is resulting in quite a substantial rate of anti social behaviour. Alcohol is bought by street drinkers right through the day and evening, and they mainly congregate in the churchyard, sometimes in a group of up to a dozen people. This is in spite of the area being designated an alcohol free zone. They are very intimidating, and the more they drink, the more uncontrolled the behaviour and language becomes.

There is a public footpath running through the churchyard which is used by all residents coming and going between their homes and the town centre and the local primary schools. For young mothers and their children to be faced with this is unacceptable. There is also a high number of elderly living in the area, and they definitely feel threatened and intimidated by just the presence of these drinkers. The number of calls that are made on a weekly, if not daily basis, to the police to deal with the illicit drinkers are numerous, and by no means does every incident get called in. I am sure that the police will be providing this information to you.

To provide yet another source of alcohol for them, and looking at the website for the business, the alcohol will be cheap, is not only unacceptable to the local community, but irresponsible on the part of the Licensing Authority.

Although these premises have previously been licensed, we have seen a distinct improvement in the safety in the adjacent area since the license was surrendered on 26 March 2014. Church Street is immediately opposite the premises, and the number of out of control drinkers staggering up the street has dropped dramatically. It is a quiet residential area with both families and retirement flats.

If you do decide to grant this application, we see no reason why alcohol needs to be bought at 6-30am. We would ask that restrictions are placed limiting sales to the times that were granted to the previous licensees.

Regards /

TORBAY COUNCIL
13/03/17
COMMUNITY SAFETY

of this objection



Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Bolton Hotel, New Road, Brixham TQ5 8LT**

Wards Affected: **Berryhead with Furzeham**

To: **Licensing Sub- Committee** On: **18 May 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.
- 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” and “The Prevention of Public Nuisance”.
- 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.

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 extend the Sale of Alcohol on Friday and Saturday from 10.00 until 01.30. This is an additional 30 minutes at the end of the evening. The existing licence allows the Sale of Alcohol both on and off the Premises from 10.00 until 01.00 Friday and Saturday, from 10.00 until midnight Monday to Thursday and from 11.00 until midnight on Sunday.

To extend Recorded Music on Friday and Saturday from 10.00 until 01.30. This is an additional hour at the end of the evening on Friday and Saturday. The existing licence allows for these activities from 10.00 until 00.30 Friday and Saturday, from 10.00 until 23.30 Monday to Thursday and from 11.00 until 23.30 on Sunday.

To extend the opening hours on Friday and Saturday from 10.00 until 02.00. This is an additional 30 minutes on Friday and Saturday night. The opening hours are presently Friday and Saturday 10.00 until 01.30, Monday to Thursday 10.00 until 00.30 and from 11.00 until 00.30 on Sunday.

There is a request to remove a number of conditions from the licence. These are listed under section L of the application form. The Licensing Officer has also highlighted these on the copy of the existing licence which is shown as Appendix 2.

A number of additional conditions have been proposed by the Applicant and these are listed in section M of the application form shown as Appendix 1.

- 2.2 A copy of the current premises licence showing the licensable activities, timings and conditions 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 an 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". 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". This is shown as Appendix 4 of this report.

We have received a Representation from an Interested Party in relation to the Licensing Objectives "The Prevention on of Crime and Disorder" and "The

Prevention of Public Nuisance". This is shown as Appendix 5 of this report.

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	Representation from an Interested Party.

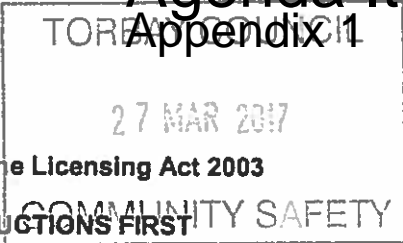
Documents available in members' rooms

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.

We Punch Taverns Plc

(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 PL0445/41001

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Bolton Hotel New Road Brixham			
Post town	Devon	Postcode	TQ5 8LT
Telephone number at premises (if any)			
Non-domestic rateable value of premises		Band B	

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address	Jubilee House Second Avenue Burton on Trent		
Post town	Staffordshire	Postcode	DE14 2WF

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)

This is an application to extend the recorded music and sale of alcohol hours on the weekend at the premises as follows:

Licensable activities

- Recorded music

From 10:00h until 01:30h on a Friday and Saturday (currently permitted from 10:00h until 00:30h)

- Sale of alcohol

From 10:00h until 01:30h on a Friday and Saturday (currently permitted from 10:00h until 01:00h)

Opening hours

From 10:00h until 02:00h on a Friday and Saturday (currently permitted from 10:00h until 01:30h)

Conditions

As a result of the above, the premises licence conditions have been amended and updated so that they are more appropriate for the intended operation of the business as follows:

- Conditions to be removed

All conditions under:

- Annex 2 – Additional Conditions transferred from the Public Entertainment Licence
- Annex 2 – Restrictions transferred from the On Licence
- Annex 2 – Credit Sales

Annex 2 – General

- Condition 1 – There shall be a 30 minute drinking time which will allow appropriate dispersal, use of lavatories etc.
- Condition 2 – The licensee shall reserve the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.
- Condition 3 – There shall be a display of appropriate posters supplied by the Licensing Authority.

Annex 2 – The Prevention of Crime & Disorder

- Condition 3 - The Licensee/staff shall monitor customer behaviour especially during busy periods.
- Condition 5 – Drug Prevention measures shall be employed and signs displayed.

10. Condition 7 – When in use door supervisors shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable.

Annex 2 – Public Safety

11. Condition 1 – All fire fighting equipment shall be serviced annually by ACE Fire Equipment (UK) Limited.

12. Condition 2 – There shall be current gas and electric certificates in place.

Annexe 2 – The Prevention of Public Nuisance

13. Condition 3 – There shall be a managed customer departure at busy times.

Annex 2 – The Protection of Children from Harm

14. Condition 1 – AWP's and cigarette machines shall be positioned in sight of the bar counter.

15. Condition 2 – No unaccompanied children shall be allowed on the premises.

16. Condition 3 – No children shall be allowed on the premises after 21.00

17. Condition 4 – There shall be no striptease and no nudity.

Annex 3 – The Prevention of Crime and Disorder

18. Condition 1 - On every occasion that the premises sells alcohol after midnight and then closes after 00.30, SIA door staff shall be employed from 10.00pm until closing.

19. Condition 3 – On every operational day when door supervision is required then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty.

Annex 3 – The Prevention of Public Nuisance

20. Condition 5 – Amplified live music and entertainment until 00.30 hours shall be limited to Friday and Saturday.

21. Condition 6 – Amplified live music and entertainment until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).

Annex 3 – The Protection of Children from Harm

22. Condition 1 – All cigarette vending machines must be sited to ensure they are under direct supervision of the staff at all times.

23. Condition 2 – All amusement with prizes machines must be sited to ensure they are under direct supervision of the staff at all times.

24. Condition 3 – A management system shall be introduced to ensure that staff are aware of the legal requirements relating to underage sales and in particular the prevention of sales from cigarette vending machines to children under sixteen and the prevention from use of AWP machines by those under eighteen.

25. Condition 4 – Age identification shall be sought from any person appearing to be under the age of 18 years.

26. Condition 5 - Staff shall receive training age identification related to the sale of alcohol.

- Conditions to be added:

The Prevention of Crime & Disorder

1. The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs, the confiscation and storage of any seized items which will be handed to the police at the earliest opportunity. A copy of this policy shall be retained on the premises and shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand. Suitable posters in relation to drug misuse shall be displayed at the premises.

2. On every occasion that the premises remain open for the sale of alcohol after midnight and then

closes after 00:30 hrs, SIA door supervisors shall be employed on the premises from 22:00 hrs until all customers have left the area, at a ratio of 2 stewards for the first 100 persons and one additional steward for each 100 persons thereafter. The premises Licence holder/DPS shall also carry out a risk assessment taking the layout of the premises and the proposed activity to be carried out into consideration to determine whether any additional stewards are required.

3. There shall be a display of appropriate posters at the premises and the licensee/DPS shall work closely with the police to promote the licensing objectives.

4. The licensee/staff shall monitor customer behaviour, especially during busy periods and bar staff serving beyond midnight will receive regular training by the DPS in relation to the sale of alcohol.

5. When in use, door supervisors in liaison with the DPS, shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable.

6. When the premise is open beyond midnight a glass collector shall be appointed to clear empty/finished glasses from public areas.

7. Where a Pub Watch scheme exists, the premises shall join and actively participate by providing details of all individuals involved in violence on the premises.

8. On every operational day when door supervision is required, then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty and remain on duty until customers have left the area in a calmly fashion.

Public Safety

1. The external areas of the premises should be well lit up.

The Prevention of Public Nuisance

1. A sound limiting device must be installed in the premises.

2. The sound limiter device must be set at a level by a suitably qualified person and in consultation with Torbay Council's Licensing Team.

3. If substantiated noise complaints cannot be resolved by use of the sound limiter, then amplified entertainment must cease until such times as sound insulation is installed at the premises.

4. No adjustments to the noise limiting device or any associated public address equipment shall be made without prior consultation with Torbay Council's Licensing team. A minimum of 7 days notice must be given in writing.

5. No independent sound system or similar shall be brought on to the premises and used for amplified entertainment within the premises.

6. All performers must use the noise limiting device and the premises in house public address system.

7. The noise limiter must not be overridden or interfered with at any time.

8. A sign must be clearly displayed, advising musicians a limiter is in operation at the premises and that they must use it.

9. A written noise management plan must be implemented and kept on site.

10. The noise management plan must be reviewed periodically or when significant changes are made to either the building or entertainment arrangements.

11. Amplified live music until 00.30 hours shall be limited to Friday and Saturday.

12. Amplified live music until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).

The Protection of Children from Harm

1. The premises shall operate the Challenge 25 policy and any individual who appears to be under the age of 25 shall be asked to produce photographic ID in the form of a passport or driving licence.
2. Any person under the age of 18 must be accompanied by a responsible adult at all times.
3. No persons under the age of 18 shall be allowed on the premises after 21:00 hrs.

All other conditions and permissions are to remain unaltered.

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

F

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) The provision of amplified and unamplified recorded music.		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Wed					
Thur			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) As per the current premises licence permissions.		
Fri					
	10:00				
Sat		01:30			
	10:00				
Sun		01:30			

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 type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur					
Fri					
	10:00				
Sat		01:30			
	10:00				
Sun		01:30			
			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)		
			As per the current premises licence permissions.		

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

L

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)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
	10:00		
Sat		02:00	
	10:00		
Sun		02:00	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

As per the current premises licence permissions.

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.

All conditions under:

1. Annex 2 – Additional Conditions transferred from the Public Entertainment Licence ✓
2. Annex 2 – Restrictions transferred from the On Licence ✓
3. Annex 2 – Credit Sales ✓

Annex 2 – General

5. Condition 1 – There shall be a 30 minute drinking time which will allow appropriate dispersal, use of lavatories etc. ✓
6. Condition 2 – The licensee shall reserve the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment. ✓
7. Condition 3 – There shall be a display of appropriate posters supplied by the Licensing Authority. ✓

Annex 2 – The Prevention of Crime & Disorder

8. Condition 3 - The Licensee/staff shall monitor customer behaviour especially during busy periods. ✓
9. Condition 5 – Drug Prevention measures shall be employed and signs displayed. ✓

10. Condition 7 – When in use door supervisors shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable ✓

Annex 2 – Public Safety

11. Condition 1 – All fire fighting equipment shall be serviced annually by ACE Fire Equipment (UK) Limited. ✓

12. Condition 2 – There shall be current gas and electric certificates in place. ✓

Annex 2 – The Prevention of Public Nuisance

13. Condition 3 – There shall be a managed customer departure at busy times. ✓

Annex 2 – The Protection of Children from Harm

14. Condition 1 – AWP's and cigarette machines shall be positioned in sight of the bar counter. ✓

15. Condition 2 – No unaccompanied children shall be allowed on the premises. ✓

16. Condition 3 – No children shall be allowed on the premises after 21.00 ✓

17. Condition 4 – There shall be no striptease and no nudity ✓

Annex 3 – The Prevention of Crime and Disorder

18. Condition 1 - On every occasion that the premises sells alcohol after midnight and then closes after 00.30, SIA door staff shall be employed from 10.00pm until closing. ✓

19. Condition 3 – On every operational day when door supervision is required then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty. ✓

Annex 3 – The Prevention of Public Nuisance

20. Condition 5 – Amplified live music and entertainment until 00.30 hours shall be limited to Friday and Saturday. ✓

21. Condition 6 – Amplified live music and entertainment until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday). ✓

Annex 3 – The Protection of Children from Harm

22. Condition 1 – All cigarette vending machines must be sited to ensure they are under direct supervision of the staff at all times. ✓

23. Condition 2 – All amusement with prizes machines must be sited to ensure they are under direct supervision of the staff at all times. ✓

24. Condition 3 – A management system shall be introduced to ensure that staff are aware of the legal requirements relating to underage sales and in particular the prevention of sales from cigarette vending machines to children under sixteen and the prevention from use of AWP machines by those under eighteen. ✓

25. Condition 4 – Age identification shall be sought from any person appearing to be under the age of 18 years. ✓

26. Condition 5 - Staff shall receive training age identification related to the sale of alcohol. ✓

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)

As per the current premises licence permissions save for the amendments made in this application.

b) The prevention of crime and disorder

As per the current premises licence permissions save for the amendments below:

1. The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs, the confiscation and storage of any seized items which will be handed to the police at the earliest opportunity. A copy of this policy shall be retained on the premises and shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand. Suitable posters in relation to drug misuse shall be displayed at the premises.
2. On every occasion that the premises remain open for the sale of alcohol after midnight and then closes after 00:30 hrs, SIA door supervisors shall be employed on the premises from 22:00 hrs until all customers have left the area, at a ratio of 2 stewards for the first 100 persons and one additional steward for each 100 persons thereafter. The premises Licence holder/DPS shall also carry out a risk assessment taking the layout of the premises and the proposed activity to be carried out into consideration to determine whether any additional stewards are required.
3. There shall be a display of appropriate posters at the premises and the licensee/DPS shall work closely with the police to promote the licensing objectives.
4. The licensee/staff shall monitor customer behaviour, especially during busy periods and bar staff serving beyond midnight will receive regular training by the DPS in relation to the sale of alcohol.
5. When in use, door supervisors in liaison with the DPS, shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable.
6. When the premise is open beyond midnight a glass collector shall be appointed to clear empty/finished glasses from public areas.
7. Where a Pub Watch scheme exists, the premises shall join and actively participate by providing details of all individuals involved in violence on the premises.
8. On every operational day when door supervision is required, then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty and remain on duty until customers have left the area in a calmly fashion.

c) Public safety

As per the current premises licence permissions save for the amendments below:

1. The external areas of the premises should be well lit up.

d) The prevention of public nuisance

As per the current premises licence permissions save for the amendments below:

1. A sound limiting device must be installed in the premises.
2. The sound limiter device must be set at a level by a suitably qualified person and in consultation with Torbay Council's Licensing Team.
3. If substantiated noise complaints cannot be resolved by use of the sound limiter, then amplified entertainment must cease until such times as sound insulation is installed at the premises.
4. No adjustments to the noise limiting device or any associated public address equipment shall be made without prior consultation with Torbay Council's Licensing team. A minimum of 7 days notice must be given in writing.
5. No independent sound system or similar shall be brought on to the premises and used for amplified entertainment within the premises.
6. All performers must use the noise limiting device and the premises in house public address system.
7. The noise limiter must not be overridden or interfered with at any time.
8. A sign must be clearly displayed, advising musicians a limiter is in operation at the premises and that they must use it.
9. A written noise management plan must be implemented and kept on site.
10. The noise management plan must be reviewed periodically or when significant changes are made to either the building or entertainment arrangements.
11. Amplified live music until 00.30 hours shall be limited to Friday and Saturday.
12. Amplified live music until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).

e) The protection of children from harm

As per the current premises licence permissions save for the amendments below:

1. The premises shall operate the Challenge 25 policy and any individual who appears to be under the age of 25 shall be asked to produce photographic ID in the form of a passport or driving licence.
2. Any person under the age of 18 must be accompanied by a responsible adult at all times.
3. No persons under the age of 18 shall be allowed on the premises after 21:00 hrs.

Licensing Act 2003

Premises Licence

445

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

Bolton Hotel

New Road, Brixham, Devon, TQ5 8LT.

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
- 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 to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
F. Playing of recorded music (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. A further additional hour every Christmas Eve. A further additional hour every Boxing Day. On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

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

Activity (and Area if applicable)	Description	Time From	Time To
F. Playing of recorded music (Indoors)	continued ...		
G. Performance of dance (Indoors)	Monday to Thursday	10:00am	11:30pm
	Friday to Saturday	10:00am	12:30am
	Sunday	11:00am	11:30pm
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.		
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.		
	A further additional hour every Christmas Eve.		
	A further additional hour every Boxing Day.		
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	Midnight
	Friday to Saturday	10:00am	1:00am
	Sunday	11:00am	Midnight
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.		
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.		
	A further additional hour every Christmas Eve.		
	A further additional hour every Boxing Day.		
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.		

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	12:30am
Friday to Saturday	10:00am	1:30am
Sunday	11:00am	12:30am
	A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.	
	A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.	
	A further additional hour every Christmas Eve.	
	A further additional hour every Boxing Day.	
	On New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on the following day.	

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

Punch Taverns Plc
 Jubilee House, Second Avenue, Burton-on-Trent, Staffordshire, DE14 2WF.
 Telephone 01283 501600

Licensing Act 2003
Premises Licence

445

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

Punch Taverns Plc

03752645

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

Stephen CLOSE

Bolton Hotel, New Road, Brixham, Devon, TQ5 8LT.

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

Licence No. LN/210001101

Issued by Epping Forest

Stephen Cox

Steve Cox
Environmental Health Manager
4 May 2016



ANNEXES

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3) (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 6) The responsible person must ensure that:-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is

ANNEXES continued ...

available to customers in the following measures:-

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

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

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

Minimum Drinks Pricing

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

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

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

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

Where:-

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

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

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

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

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

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

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

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

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

Additional Conditions transferred from Public Entertainment Licence

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

Ground Floor Bar Area - 170

Restrictions transferred from the On Licence

The restrictions related to permitted hours do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purpose of the trade or club.
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there; or
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of the employer or of the person carrying on or in charge of the business on the premises.

Credit Sales

- Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

ANNEXES continued ...

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

General

- 1. There shall be a 30 minute "drinking up" time which will allow appropriate dispersal, use of lavatories etc.
- 2. The licensee shall reserve the right to move the fire appliances, AWP machines, cigarette machines and/or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.
- 3. There shall be a display of appropriate posters supplied by the Licensing Authority.

The Prevention of Crime and Disorder

- 1. All alcohol and soft drinks shall be decanted and served in toughened glass.
- 2. All interior trading areas shall be visible to staff from behind the bar servery.
- 3. The licensee/staff shall monitor customer behaviour especially during busy periods.
- 4. There shall be a burglar alarm system in place.
- 5. Drug prevention measures shall be employed and signs displayed.
- 6. Door staff shall be managed by the Designated Premises Supervisor/appointed person and to be in the possession of radios whilst on duty at the premises.
- 7. When in use door supervisors shall determine which customers are permitted entry to the premises and refuse entry to those not considered to be suitable.
- 8. An incident book shall be kept and all instances of public disorder will be recorded within it.
- 9. Crime prevention posters shall be displayed on the premises.
- 10. A banning policy shall be in place.
- 11. No drunkenness or anti-social behaviour shall be tolerated on the premises.
- 12. A CCTV system of an evidential standard shall be installed to the satisfaction of the police. The system will cover the bar, lobby, entrance/exit and the outside area. The system shall be in operation at all times the premises are open to the public. All recordings shall be available for a minimum of 14 days. The Designated Premises Supervisor and/or manager will be able to operate the system. Copies of the recordings will be made available to the Licensing Authority and Responsible Authorities upon request and provided within a reasonable time. Should the system be inoperable this will be recorded in the incident book and repaired as soon as is reasonably practicable.

Public Safety

- 1. All fire fighting equipment shall be serviced annually by ACE Fire Equipment (UK) Limited.
- 2. There shall be current gas and electric certificates in place.
- 3. The pub shall promote a licensed taxi service to facilitate its customers making onward journeys.

The Prevention of Public Nuisance

- 1. There shall be lockable/closed windows.

ANNEXES continued ...

2. The fabric of the building shall retain sound.
3. There shall be a managed customer departure at busy times.

The Protection of Children from Harm

1. AWP's and cigarette machines shall be positioned in sight of the bar counter.
2. No unaccompanied children shall be allowed on the premises.
3. No children shall be allowed on the premises after 21.00.
4. There shall be no striptease and no nudity.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Crime and Disorder

1. On every occasion that the premises sells alcohol after midnight and then closes after 00.30, SIA door staff shall be employed from 10.00pm until closing.
2. On every occasion that the premises extends its hours of operation for sales of alcohol after midnight and closure to the public after 00.30hrs, from 9.00pm of that operational day, all drinks shall be served in toughened or strengthened glasses and no drinks shall be served in glass bottles from which it is intended or likely that a person shall drink.
3. On every operational day when door supervision is required, then those SIA door supervisors on front of house duties shall wear high visibility clothing for the entirety of their duty.
4. There shall be no entry or new entry to the premises after 00.30 and re-entry after this time shall be subject to a managed supervision system as indicated by the applicant, in particular hand stamping or something similar.

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. Noise should not be audible within any noise sensitive premises with windows open for normal ventilation especially after 11pm. The criteria applied, from boundary to nearest residential property 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.
 - (iii) The Local Authority shall reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties) to make further assessments from within the residential property.
2. Doors and windows shall be kept shut during regulated entertainment to reduce noise breakout. A management scheme shall be in place to ensure this situation remains.
3. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the licensee/management.
4. During amplified music and entertainment the door lobbies shall be effectively used throughout the time of entertainment to prevent noise breakout.
5. Amplified live music and entertainment until 00.30 hours shall be limited to Friday and Saturday.
6. Amplified live music and entertainment until 23.30 hours shall be limited to not more than three evenings per week (Sunday-Thursday).

The Protection of Children from Harm

1. All cigarette vending machines must be sited to ensure they are under direct supervision of the staff at all times.
2. All Amusement with prizes machines must be sited to ensure they are under direct supervision of the staff at all times.

ANNEXES continued ...

3. A management system shall be introduced to ensure that staff are aware of the legal requirements relating to underage sales and in particular the prevention of sales from cigarette vending machines to children under sixteen and the prevention from use of AWP machines by those under eighteen.
4. Age identification shall be sought from any person appearing to be under the age of 18 years.
5. Staff shall receive training age identification related to the sale of alcohol.

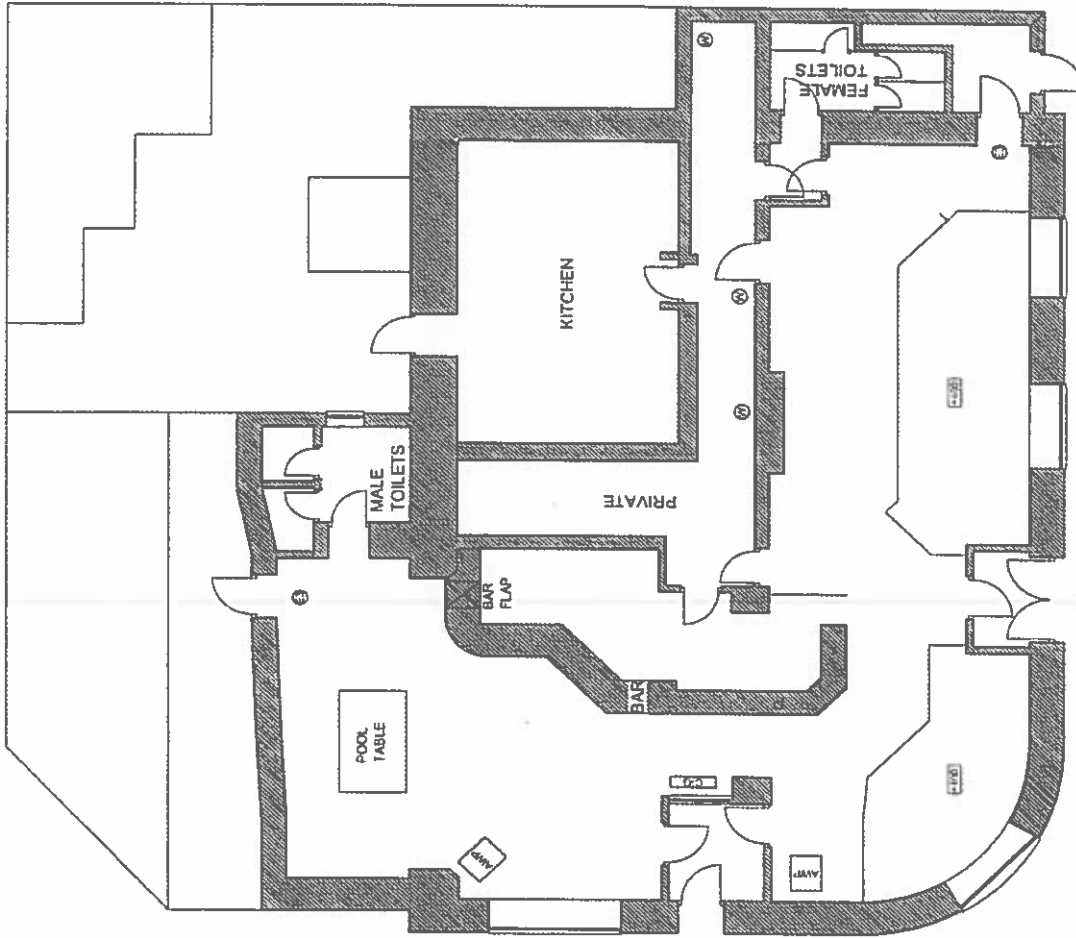
ANNEXE 4

PLANS

Copy attached to Licence.



- KEY**
- ⊙ WATER FOUNTAIN
 - ⊕ ILLUMINATED EXIT SIGN WITH DIRECTIONAL ARROW
 - ⊖ CIGARETTE VENDING MACHINE
 - ⊞ FRUIT MACHINE



GROUND FLOOR PLAN



LOCATION PLAN
SCALE 1:500

REV	DATE	DESCRIPTION	BY	CHK
B	28/05/05	Revised as per survey		IH
A	04/02/05	Revised to client comments		ESL

ROMANS
Surveyors

4 KING STREET LANE, WIMBORNE, DORSETSHIRE, BH41
TELEPHONE: 01189 216 4499
18 THE AVENUE, BOURNEMOUTH, HAMPSHIRE, BH15 1AA.
TELEPHONE: 01753 820111
84 MAIN ROAD, TUCKERMAN, HODDAM, TW1 4BN.
E MAIL: ROMANS@ROMANS.CO.UK
WWW.ROMANS.CO.UK

ON SERIALS OF
PUNCH TAVERNS

PROJECT TITLE
**Bolton Hotel, New Road,
Borton Cross, Brixham Devon, TQ5 8LT**

DRAWING TITLE
Existing Floor Plans

SCALE
1:100

DATE

DATE PREPARED

DATE CHECKED

DATE REVISED

REVISED BY

REVISED BY

PROJECT NO.
T/8

CLIENT
ROMANS GROUP

PROJECT NO.
300350

ISO 9001

ISO 9000

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

19 April 2017

Dear Sir/Madam

The Bolton Hotel, New Road, Brixham, TQ5 8LT

I refer to an application for the Variation of a Premises Licence in respect of the above named premises, submitted by TLT Solicitors on behalf of the applicant, Punch Taverns plc.

For your information, the Bolton Hotel currently has the benefit of Premises Licence Number PL0445 issued by Torbay Council.

The Bolton Hotel is situated at a busy junction within Brixham Town Centre. The surrounding area consists of a mixture of business and residential properties. The premises is currently licensed for the sale of alcohol until midnight on Mondays to Thursdays and 1.00 am on Fridays and Saturdays. The premises must close 30 minutes after the last sale of alcohol. The applicant is seeking within this variation application to extend the sale of alcohol by an additional 30 minutes on Friday and Saturday nights until 1.30 am the following day, with the premises closing 30 minutes thereafter, ie 2.00 am. The premises has a capacity of 170 persons.

The Bolton Hotel is situated a short distance away from Jackz Bar, Parkham Road, Brixham. Jackz Bar is licensed for the sale of alcohol until 2.00 am every day of the week, closing at 3.00 am. At the current time Jackz Bar and the Bolton Hotel are the only premises in Brixham Town Centre with Premises Licences authorising the sale of alcohol after midnight.

The police have examined the application and consider that the applicant has not given sufficient consideration to the Torbay Council Licensing Statement of Principles 2016-2021 and the proposed operating schedule needs further consideration. It is therefore apparent that they have not fully identified additional risks associated with their proposed operation and they do not consider that allowing persons to consume alcohol for an additional 30 minutes within their premises, prior to leaving at 2.00 am, will impact in any way on the Licensing Objectives.

I now outline below a number of matters contained within the current Premises Licence that the police consider are not acceptable for a premises now seeking a licence authorising the sale of alcohol until 1.30 am on Fridays and Saturdays:

1. Condition 4 of the application under the prevention of crime and disorder, Section M (b) relating to customer behaviour and training of staff. What training will be provided to staff so that they understand the requirements of both the Premises Licence and the broad provisions of the Licensing Act 2003? Again, will they be required to hold the BIIAB Level 1 Award in Responsible Alcohol Retailing?
2. Condition 5 under the heading the Protection of Children from Harm on page 9 of the application, refers to staff training in relation to age related sales. Will all staff involved in the sale of alcohol be required to hold the BIIAB Level 1 Award in Responsible Alcohol Retailing as indicated within the Licensing Statement of Principles (page 17)? What training records does the premises management hold in relation to staff training?
3. Neither the application or the Premises Licence give any information in relation to smokers. What is the premises policy in relation to smokers? Where will they be located and how will they be managed?

However, during the consultation period some negotiating took place in relation to the above items 1 & 2 but was inconclusive of any decision, see attached emails for details.

In respect of the current management of the premises, Mr Stephen Close has been the Designated Premises Supervisor of the Bolton Hotel since June 2015 and since that time the police have been satisfied with Mr Close's management of the premises.

For your information, the Premises Licence Holder, Punch Taverns plc, do not have a role in the day to day management of the premises. In fact Punch Taverns plc have appointed a holding company known as Pub Solutions to manage this premises, and it

appears to be Pub Solutions who are responsible for selecting managers for the premises. Pub Solutions also have no involvement in the day to day management of the premises but in the past a representative of this company has been present at meetings to discuss police concerns or particular incidents.

Since 2007 there have been 8 variations of DPS at the Bolton Hotel and it does not appear that Punch Taverns plc and/or Pub Solutions can find a suitable DPS who is committed to spending a long period of time at the premises. It is the opinion of the police that some of the previous DPS's at this premises have not been suitable to manage the premises and the police have had many meetings at the premises in the last 10 years in an effort to improve the management of the premises. Due to this the police have concerns that should this application be granted, Mr Close may leave the premises and we may continue to see a regular change of DPS which will have serious implications on the management of the premises, leading to adverse effects on the Licensing Objectives. I have attached a sheet outlining the numerous changes of DPS at the premises for your information.

If the application is granted it is highly likely to have an impact in relation to anti-social behaviour and noise issues until all persons have left the area, but I would point out that even if door stewards are on duty this is unlikely to prevent incidents and noise issues from occurring unless they are kept on duty until persons have calmly dispersed from the area.

Also attached for your information are copies of Forms L10 received by the Licensing Department since July 2013, together with details of crimes and logs at the Bolton Hotel and in the surrounding roads. Please note that in respect of New Road, Fore Street and Bolton Street, we have been unable to break this information down to the immediate vicinity of the Bolton Hotel. However it is my opinion that these roads are dispersal routes from the town centre and therefore customers leaving the Bolton Hotel will use these routes to go home.

I would refer you to the below paragraph which is contained within page 40 of your Licensing Statement of Principles:

'There will be an assumption however that Licensed Premises in residential areas, or where there is proximity to residential properties, will only be allowed to undertake Licensable Activities until 11pm unless detailed consideration and mitigation measures have been proposed to address those concerns. A simple application with no supporting material can be expected to be refused, where relevant representations have been received.'

Although this premises currently operates until 1.30 am on Friday and Saturday nights, they are now seeking to extend their hours until 2.00 am on these nights, which carries a risk of impacting on the Licensing Objectives the Prevention of Crime and Disorder and the Prevention of Public Nuisance. As the premises are situated in an area consisting of both business and residential properties and the applicant has not given extensive consideration to the increased risk or proposed mitigation measures, the police consider that this paragraph is applicable.

In conclusion, the police object to this application on the grounds that the granting of it is likely to have an impact on the existing levels of crime and disorder and public nuisance both at the premises and in the area and, as the applicant has not fully identified additional measures they propose to implement to ensure that the premises can satisfactorily meet the Licensing Objectives, the police respectfully request that the Licensing Authority refuse this application.

Should you require any further information, please do not hesitate to contact Peter Cosby on 01803 218964.

Yours faithfully



Superintendent M Lawler
Territorial Policing & Partnership Department

BOLTON HOTEL, NEW ROAD, BRIXHAM – PL0445

HISTORY OF PREMISES:

24/11/05	Conversion with Grandfather Rights	Premises Licence granted to Punch Taverns. DPS IC Sale of Alcohol: Mon to Sat 1000 – 2300 Sun 1200 – 2230
24/11/05	Variation	Sale of Alcohol: Mon to Sat 1000 – 0000 Sun 1100 – 2330
08/11/07	Change of Supervisor	To MP
28/02/08	Variation	Sale of Alcohol: Monday 1000 – 0000 Tuesday 1000 – 0000 Wed to Sat 1000 – 0100 Sun 1100 – 0000
16/09/09	Change of Supervisor	To AG
12/03/10	Change of Supervisor	To KV
09/07/10	Change of Supervisor	To JC
04/08/10	Change of Supervisor	To GT
24/12/10	Minor variation	
18/07/12	Minor variation	
02/11/12	Change of Supervisor	To KV
10/07/13	Change of Supervisor	To SB
11/06/15	Change of Supervisor	To SC

PUB/CLUB TYPE PREMISES IN BRIXHAM

PREMISES	ADDRESS	SALE OF ALCOHOL	OPENING TIMES
Bolton Hotel	New Road, Brixham	Mon - Thurs 1000 - 0000 Fri - Sat 1000 - 0100 Sun 1100 - 0000	Mon - Thurs 1000 - 0030 Fri - Sat 1000 - 0130 Sun 1100 - 0030
Jackz Bar	Parkham Road, Brixham	Mon - Sat 0900 - 0200	Mon - Sat 0900 - 0300
Blue Anchor	83 Fore Street, Brixham	Mon - Sat 1000 - 0000 Sun 1100 - 2330	Mon - Sat 1000 - 0030 Sun 1100 - 0000
Bullers	4 The Strand, Brixham	Mon - Sat 1100 - 0000 Sun 1200 - 0000	Mon - Sat 1100 - 0030 Sun 1200 - 0030
Crown and Anchor	23 The Quay, Brixham	Mon - Sun 0900 - 0000	Mon - Sun 0900 - 0030
Golden Lion	65 New Road, Brixham	Mon - Sat 1000 - 2300 Sun 1200 - 2230	Mon - Sat 1000 - 2320 Sun 1200 - 2250
Long Bar	24 Fore Street, Brixham	Mon - Sat 1000 - 0000 Sun 1200 - 2330	Mon - Sat 1000 - 0030 Sun 1200 - 0000
Liberty	11 The Quay, Brixham	Mon - Sun 0700 - 0000	Mon - Sun 0700 - 0030
Maritime Inn	79 King Street, Brixham	Mon - Sun 1100 - 0000	Mon - Sun 1100 - 0030
Rising Sun	5 The Quay, Brixham	Mon - Sun 1000 - 0000	Mon - Sun 1000 - 0030
Sprat and Mackerel	24 The Quay, Brixham	Mon - Sun 1000 - 0000	Mon - Sun 0800 - 0030
Vigilance	5 Bolton Street, Brixham	Mon to Sun 0900 - 0000	Mon to Sun 0700 - 0030

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

BOLTON HOTEL, BRIXHAM

CRIMES AT THE PREMISES

24/11/05 to 22/03/16 – 52 crimes recorded at premises as below, 18 of which (highlighted) occurred after midnight, and 8 of these 18 occurred during the early morning of a Saturday or Sunday

CR/084569/06	19/02/2006 23:00	19/02/2006 23:15	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/084803/06	22/04/2006 17:00	23/04/2006 08:00	Sat	DESTROY / DAMAGE PROPERTY OF A VALUE UNKNOWN
CR/085300/06	13/08/2006 22:00	14/08/2006 00:01	Sun	BURGLARY DWELLING - WITH INTENT TO STEAL
CR/084069/06	01/09/2006 22:50	01/09/2006 23:00	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/084338/06	03/11/2006 10:30	03/11/2006 11:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/084358/06	03/11/2006 22:30	03/11/2006 23:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/084379/06	16/11/2006 23:30	17/11/2006 00:15	Thurs	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/073280/08	11/01/2008 23:00	11/01/2008 23:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/073558/08	20/01/2008 21:00	20/01/2008 21:25	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/073262/08	14/04/2008 02:30	14/04/2008 02:40	Mon	WOUND / INFLECT GRIEVOUS BODILY HARM WITHOUT INTEN
CR/073334/08	06/05/2008 19:15	06/05/2008 19:25	Tues	POSSESS AN OFFENSIVE WEAPON IN A PUBLIC PLACE
CR/073691/08	30/08/2008 23:00	31/08/2008 14:00	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/073702/08	05/09/2008 21:55	05/09/2008 22:01	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/073753/08	13/09/2008 19:00	13/09/2008 23:59	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/072841/08	24/10/2008 00:59	24/10/2008 01:00	Fri	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - OTHER
CR/066475/09	16/02/2009 22:00	16/02/2009 22:30	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/066640/09	20/03/2009 16:00	20/03/2009 16:30	Thurs	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/067214/09	07/09/2009 21:50	07/09/2009 22:30	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

CR/066364/09	19/11/2009 00:30	19/11/2009 00:31	Wed	DESTROY/DAMAGE PROPERTY OF A VALUE UNKNOWN - NOT DWELLING
CR/060070/10	29/01/2010 20:00	29/01/2010 20:30	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/060391/10	01/05/2010 23:37	01/05/2010 23:55	Sat	POSSESS A CONTROLLED DRUG OF CLASS A - COCAINE
CR/060835/10	02/09/2010 15:00	02/09/2010 19:00	Thurs	DRUNK IN CHARGE OF A CHILD UNDER THE AGE OF SEVEN YEARS
CR/059802/10	19/09/2010 00:15	19/09/2010 00:20	Sun	WOUND / INFLECT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/059993/10	18/11/2010 20:00	18/11/2010 20:10	Thurs	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/060424/11	24/04/2011 23:00	24/04/2011 23:30	Sun	COMMON ASSAULT
CR/104693/11	24/04/2011 23:20	24/04/2011 23:27	SUN	WOUND / INFLECT GRIEVOUS BODILY HARM WITHOUT INTEN
CR/060484/11	19/06/2011 02:28	19/06/2011 02:29	Sun	POSSESS A CONTROLLED DRUG OF CLASS A - MDMA
CR/060573/11	16/07/2011 23:05	16/07/2011 23:09	Sat	DESTROY / DAMAGE PROPERTY OF A VALUE UNKNOWN - NOT DWELLING
CR/060633/11	31/07/2011 21:00	01/08/2011 11:00	Sun/Mon	BURGLARY OTHER THAN DWELLING WITH INTENT TO STEAL
CR/059403/12	28/04/2012 00:45	28/04/2012 01:10	Sat	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/059479/12	22/05/2012 00:05	22/05/2012 00:15	Tues	WOUND / INFLECT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/059480/12	22/05/2012 00:15	22/05/2012 00:20	Tues	POSSESS A CONTROLLED DRUG OF CLASS B - CANNABIS RESIN
CR/059541/12	04/06/2012 01:30	04/06/2012 02:00	Mon	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/059584/12	17/06/2012 20:00	17/06/2012 22:00	Sun	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/059715/12	01/08/2012 22:45	01/08/2012 22:50	Wed	COMMON ASSAULT
CR/115377/12	01/11/2012 22:00	02/11/2012 00:01	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/107581/13	27/09/2013 18:00	27/09/2013 21:22	Fri	COMMUNICATIONS ACT 2003
CR/058226/13	03/11/2013 00:00	03/11/2013 01:00	Sun	COMMON ASSAULT
CR/107641/13	28/12/2013 22:05	28/12/2013 22:15	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/063876/14	22/03/2014 01:20	22/03/2014 01:30	Sat	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - OTHER
CR/051763/14	02/04/2014 17:39	02/04/2014 19:05	Wed	POSSESS A CONTROLLED DRUG OF CLASS B - CANNABIS RESIN
CR/070709/14	02/04/2014 18:00	02/04/2014 19:10	Wed	POSSESS A CONTROLLED DRUG OF CLASS B - AMPHETAMINE
CR/051850/14	02/05/2014 22:35	02/05/2014 23:02	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/088705/14	11/07/2014 00:15	11/07/2014 00:20	Fri	CRIMINAL DAMAGE TO PROPERTY UNDER £5000 - BUILDING NOT DWELLING

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

CR/108991/14	12/09/2014 23:30	12/09/2014 23:35	Fri	COMMON ASSAULT
CR/106759/14	12/09/2014 23:35	12/09/2014 23:40	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/120834/14	08/11/2014 00:30	08/11/2014 00:39	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/120836/14	08/11/2014 00:30	08/11/2014 00:39	Sat	COMMON ASSAULT
CR/123157/14	13/11/2014 22:00	14/11/2014 00:10	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/123302/14	18/11/2014 13:00	18/11/2014 13:30	Tues	POSSESS WITH INTENT TO SUPPLY A CONTROLLED DRUG OF CLASS B
CR/055227/15	01/04/2015 09:00	10/04/2015 09:00	Fri	THEFT IN DWELLING OTHER THAN AN AUTOMATIC MACHINE OR METER
CR/089393/15	24/12/2015 23:00	25/12/2015 01:00	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING

LOGS - CALLS RECEIVED ABOUT THE PREMISES

AD 51
 All logs since 2012 (when Storm was introduced), of which the below 14 (highlighted) occurred after midnight and 10 of these 14 occurred during the early hours of a Saturday or Sunday morning.

DATE	TIME	DAY	LOG NO	INCIDENT TYPE
08/08/12	1320	Wed	0358	Concern for elderly lady staying at hotel
15/09/12	2158	Sat	0919	Male becoming aggressive. Doorman asked for police to be around in area when it kicks off. Advised we can not just wait outside.
02/10/12	1720	Tues	0532	Being chased and threatened after disorder in premises
14/10/12	0012	Sun	0021	Large fight outside premises. One male arrested D&D FB/12/1106 refers
11/11/12	2042	Sun	0781	Strange male asking people to punch him outside premises. Male not there on police attendance.
24/01/13	1749	Sun	0543	Male in breach of bail inside the Bolton

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred between 0300 hrs to the time persons will leave both the Bolton Hotel and Jackz Bar.

28/02/13	2132	Thurs	0798	Extremely drunk female becoming aggressive in premises, tried to hit member of staff with a bar stool. No complaint of assault
17/07/13	2048	Wed	0948	White powder found in toilets
20/07/13	1236	Sat	2322	Male kicking off having been ejected by doorstaff. S27 issued
13/08/13	2314	Tues	1047	Partner has been assaulted in premises. Crimed FB/13/814
17/08/13	0040	Sat	0055	Male kicking off and refusing to leave. Male eventually left area
27/09/13	2044	Fri	0779	Problems with an individual on Facebook
04/10/13	1124	Fri	0268	Domestic. RP has taken refuge at premises
17/10/13	0019	Thurs	0015	Someone being aggressive. Premises confirmed 2 persons had been requested to leave
27/10/13	0018	Sun	0026	6-8 people refusing to leave premises. Security thought he would need a hand ejecting but they eventually left
02/11/13	1520	Sat	0556	Male stabbed in abdomen and staggered into premises. Crimed FB/13/1151
02/12/13	2243	Mon	0888	Found handgun in room above premises. Caller states the previous occupants left items behind
05/01/14	0241	Sun	0088	Noise from hotel. Caller heard screaming but stated it didn't sound like someone in distress, just general noise nuisance. Caller stated it happens every weekend. EHO advice given
28/12/13	2215	Thurs	0708	RP has been assaulted. Crimed FB/13/1330
05/01/14	0241	Sun	0088	Very noisy domestic between 2 loggers at premises. FB/14/00014/N
06/02/14	1628	Thurs	0417	Caller states persons with a stolen property are in premises
22/03/14	0136	Sat	0052	Disorder on premises. Lots of shouting and screaming, refusing to leave. Person then went outside and smashed a window. FB/14/321
02/04/14	1739	Wed	0631	Possible drug deal just taken place. Males just gone back in premises. FB/14/358
16/05/14	2343	Fri	0981	Police officer requiring urgent assistance having witnessed large fight outside the Bolton between two groups. One in custody.

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

11/07/14	0020	Fri	0027	Smashed window. Male refused alcohol has smashed window and walked off. CR/88705/14
03/08/14	0048	Sun	0060	Altercation with female who threw drink in his face. Police attended, no offences
			0138	Caller assaulted with beer garden by being headbutted CR/106759/14
13/09/14	1708	Sat	0657	Male refusing to leave pub. S27 issued
			0173	linked to log 178 - no further info
02/10/14	2036	Thurs	0800	Information re domestic incident
08/11/14	0039	Sat	0037	Door staff assaulted. CR/120836/14
30/03/15	0132	Mon	0026	Large fight outside premises. Area search, no trace of persons
17/04/15	2103	Fri	0821	Male punching female. Female is in premises.
10/05/15	0044	Sun	0054	Vulnerable male in drink and may get violent. Area search, no trace of male
25/05/15	2006	Mon	0726	Concern for a child. Parents seen drunk at premises earlier in day.
08/06/15	1103	Sat	0274	Report of a domestic incident at premises on 2/06/15
12/08/15	1718	Wed	0671	Callers partner is in Bolton and is getting drunk. Has a history of violence when in drink. No immediate concerns. Advised to ring back if anything happens.
05/09/15	2332	Sat	0903	Fight between two males broken up by door staff. One has a head injury and 3 cuts to head and muscle injury to arm.
18/09/15	2148	Fri	0842	Male drinking at premises all evening will be driving home soon. Details circulated.
26/12/15	2323	Sat	0749	Fight. 18 yr old male has put his hand through a window.
01/01/16	0045	Fri	0085	Male assaulted. Male entered premises with lump to head and crying. Said he was assaulted at another premises.

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

GENERAL AREA

CRIMES THAT OCCURRED IN THE ROAD

BOLTON STREET, BRIXHAM

01/01/13 to 22/03/16 – 44 crimes recorded in the road, of which the below 14 occurred after midnight and 10 of these 14 occurred during the early hours of a Saturday or Sunday morning.

CR/058566/13	21/04/2013 02:30	21/04/2013 02:57	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
		25/04/2013 05:13	Thurs	DESTROY / DAMAGE PROPERTY OF A VALUE UNKNOWN - VEHICLE
		31/08/2013 05:39	Sat	DRUNK AND DISORDERLY IN A PUBLIC PLACE
		03/11/2013 03:01	Sun	SECTION 18 - GRIEVOUS BODILY HARM WITH INTENT
CR/058257/13	10/11/2013 01:47	10/11/2013 01:50	Sun	WOUND / INFLECT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/116667/13	15/12/2013 01:20	15/12/2013 01:45	Sun	DRUNK AND DISORDERLY IN A PUBLIC PLACE
		28/12/2013 03:59	Sat	POSSESS A CONTROLLED DRUG OF CLASS A - COCAINE
		28/12/2013 03:54	Sat	DRUNK AND DISORDERLY IN A PUBLIC PLACE
CR/032708/14	10/01/2014 00:10	10/01/2014 00:13	Fri	COMMON ASSAULT
CR/093988/14	27/07/2014 01:00	27/07/2014 01:30	Sun	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR
		04/07/2015 03:56	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/074133/15	25/10/2015 02:00	25/10/2015 02:05	Sun	ROBBERY
CR/000169/16	01/01/2016 01:15	01/01/2016 01:31	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/000171/16	01/01/2016 01:15	01/01/2016 01:31	Fri	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM

BOLTON CROSS, BRIXHAM

24/11/05 to 22/03/16 - None recorded.

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

FORE STREET, BRIXHAM

01/01/13 to 22/03/16 - 55 crimes recorded in the road, of which the below 7 occurred after midnight, and 5 of these 7 occurred during the early hours of a Saturday or Sunday morning.

CR/058797/13	18/01/2013 02:10		Fri	THEFT FROM THE PERSON OF ANOTHER
CR/058395/13	22/02/2013 01:00	22/02/2013 02:00	Fri	THEFT - OTHER - INCLUDING THEFT BY FINDING
CR/058494/13	31/03/2013 00:40	31/03/2013 00:50	Sun	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR TO CAUSE HARASSMENT / ALARM / DISTRESS
CR/136606/13	10/11/2013 02:00	10/11/2013 02:12	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/113058/14	20/09/2014 00:45	20/09/2014 00:50	Sat	POSSESS A CONTROLLED DRUG OF CLASS B - CANNABIS / CANNABIS RESI
CR/131794/14	21/12/2014 00:30	21/12/2014 00:35	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/064263/15	13/09/2015 00:30	13/09/2015 00:40	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT

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NEW ROAD, BRIXHAM

01/01/13 to 22/03/16 - 43 crimes recorded in the road, of which the below 12 occurred after midnight, and 11 of these 12 occurred during the early hours of a Saturday or Sunday morning.

CR/058336/13	03/02/2013 01:30	03/02/2013 02:00	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/116551/13	06/10/2013 02:00	06/10/2013 02:30	Sun	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/058344/13	21/12/2013 01:50	21/12/2013 01:55	Sat	APPRAISAL
CR/058345/13	21/12/2013 01:50	21/12/2013 01:55	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/058905/14	17/08/2014 02:40	17/08/2014 02:50	Sun	THEFT - OTHER - INCLUDING THEFT BY FINDING

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

CR/108590/14	21/09/2014 02:00	21/09/2014 02:10	Sun	WOUND / INFLICT GRIEVOUS BODILY HARM WITHOUT INTENT
CR/108176/14	21/09/2014 01:50	21/09/2014 02:10	Sun	SECTION 18 - GRIEVOUS BODILY HARM WITH INTENT
CR/059510/15	21/09/2014 01:50	21/09/2014 02:10	Sun	USE THREATENING / ABUSIVE / INSULTING WORDS / BEHAVIOUR WITH INTENT
CR/067772/15	29/09/2015 00:05	29/09/2015 00:12	Mon	POSSESS KNIFE BLADE / SHARP POINTED ARTICLE IN A PUBLIC PLACE - CRIMINAL JUSTICE ACT 1988
CR/118802/14	01/11/2014 02:15	01/11/2014 02:28	Sat	ASSAULT A PERSON THEREBY OCCASIONING THEM ACTUAL BODILY HARM
CR/010388/15	14/02/2015 01:00	14/02/2015 01:09	Sat	COMMON ASSAULT
CR/042362/15	21/06/2015 02:35	21/06/2015 02:58	Sun	IN CHARGE OF MOTOR VEHICLE - ALCOHOL LEVEL ABOVE LIMIT

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).
Green = occurred between 0130 hrs and 0300 hrs (e between time Bolton Hotel closes and up to closing time for Jackz Bar).
Red = occurred after 0300 hrs (e the time persons will leave both the Bolton Hotel and Jackz Bar).

21/04/13	0257	Sun	0159	Caller and her friend assaulted. Offenders ran up behind them and attacked them both for no reason. FB/13/367
05/07/13	0120	Fri	0050	2 drunks causing a disturbance, have thrown a gas canister into the road. Area search, no trace
03/11/13	0256	Sun	0182	Caller said there is a dozen youths in the road fighting with each other. Duplicate log.
03/11/13	0254	Sun	0181	Large group fighting and saying they are going to kill each other. Males and females, about 20 in total. Male located with injuries, refused details and obstructive
15/12/13	0125	Sun	0082	Possible window broken. Caller heard disturbance involving 2 females.
13/07/14	0009	Sat	0018	Fight, male laid out on pavement. Police attended. Male is alleged to have fallen.
01/01/15	0154	Sat	0080	Male being verbally abusive to people near the library. Police units have just left area. Male now fighting in street. Male left area prior to police arrival.
29/08/15	0016	Sun	0037	6 persons fighting. Girl may have had a bottle smashed on her head. 1 has taken his shirt off. Log 35 also created and all updates to be placed on that log.
30/08/15	0015	Sun	0035	Sounds of fighting. Been going on for approx half an hour. Out on the street, lots of shouting. Officers attended, no offences.
03/01/16	0028	Sun	0030	Fight outside Wetherspoons. No allegations of assault

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred between 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

FORE STREET, BRIXHAM

Since 01/01/13 the below 23 logs were recorded after midnight, and 14 of these 23 occurred during the early hours of a Saturday or Sunday morning.

18/01/13	0237	Fri	0054	Wallet grabbed, about 20 mins ago at Lloyds Bank
31/03/13	0050	Sun	0049	Male making threats. In company with 3 other males. No police resources in area.
05/06/13	0036	Wed	0017	Threats with a knife. Reporting person identified as a vulnerable male with mental health issues.
15/06/13	0101	Sat	0063	Male has threatened to slip reporting persons throat. Male is now back in the pub. Police attended and dealt with matter.
24/08/13	0135	Sat	0096	Drunks shouting and threatening. There are 3 males and one female shouting and arguing. One male is holding a bottle
20/08/13	0049	Wed	0026	5 youths banging something. Sounds like metal being banged. Also a female with them. Area searched, no trace
20/08/13	0024	Thurs	0028	Suspicious males banging on windows. Tried to ring caller back, no answer
09/10/13	0020	Wed	0014	Caller wants to make a complaint against police re attendance at another log
10/11/13	0212	Sun	0108	Male and female, domestic incident. One in custody
27/02/14	0022	Tues	0068	Female has been assaulted by partner. She had to leave home and has come round to callers home in a drunken state
13/02/14	0300	Sun	0148	Male grabbing female, female keeps screaming for the male to get off her, going towards Bolton Street. Police attended and took female home
08/07/14	0022	Tues	0019	6-7 youths have nicked large wheelie bin with green lid and rode off down road in it

Yellow = occurred between midnight and 01:30 hrs (time Bolton Hotel closes).

Green = occurred between 01:30 hrs and 03:00 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 03:00 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

30/11/14	0055	Sun	0089	30 youths causing nuisance by bus station. Youths spoken to by police
01/02/15	0029	Sun	0031	Youths causing a disturbance, for last 30 mins has been disturbed by a group of youths shouting and screaming. Attended area, no one there.
15/02/15	0056	Sun	0052	Fight, man unconscious. 5 to 7 people fighting, one was unconscious on ground but is being carried off. RP was woken and heard a woman saying get off my boyfriend. Area search, no trace
18/04/15	0117	Sat	0078	Possible fight in street, group of about 15-20 involved, now heading towards Vigilance
26/04/15	0158	Sun	0077	Reporting person has been attacked, kicked in the face and stamped on.
26/04/15	0158	Sun	0076	Duplicate of above log
16/05/15	0257	Sat	0155	Two men and woman shouting. Police attended and spoke to a member of the public. No offences
TU				
27/08/15	0035	Thurs	0024	No information recorded
28/09/15	0049	Tues	0025	Reporting persons had had cans thrown at them
26/10/15	0101	Sat	0043	Very noisy party in the flat about the Sue Ryder Shop. On going issues with people who live there. EHO advice given.

NEW ROAD, BRIXHAM

Since 01/01/13 the below 32 logs were recorded after midnight, and 18 of these 32 occurred during the early hours of a Saturday or Sunday morning.

17/08/13	0252	Sat	0170	Large fight outside a pub. Line cleared. Attempted to ring back but straight to answer phone. CCTV identified large group outside Jackies and the Bolton but they do not appear to be fighting.
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Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0500 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0500 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

07/09/12	0251	Sun	0252	3 teens in drink causing disturbance and lying in road near a guest house
08/10/13	0235	Sun	0158	Male kick to head, offender has run off. Bolton Hotel
13/12/13	0053	Fri	0022	Road rage in last few days
18/12/13	0109	Wed	0034	Suspicious vehicle did handbrake turn
20/01/14	0140	Sun	0162	Large fight outside Jackies Bar. Lot of shouting and screaming.
		Sat	0194	Sounds of screaming, cannot pinpoint where its coming from
23/08/14	0207	Sat	0105	Youths arguing outside Jackies Bar. No units available
12/09/14	0232	Fri	0082	Males trying car doors by the Job Centre
21/09/14	0210	Sun	0178	3-4 people beating up 1 person, outside Jackies
22/09/14	0222	Mon	0085	Suspicious activity, People wandering through Saxon Heights
01/11/14	0228	Sat	0187	Male hit female by Job Centre. Male ran off
01/11/14	0139	Sat	0130	Drink driver stopped from driving
14/02/15	0109	Sat	0052	Assistance shout from office.
14/03/15	0258	Sat	0118	3 males fighting near Monksbridge end. Officers attended and dealt with matter.
02/04/15	0136	Thurs	0030	Group of around 8 males acting suspiciously. Seen by Wetherspoons. Males spoken to.
02/04/15	0224	Sat	0136	Suspected drink driver, vehicle is all over the road. Officers dealt with matter.
03/06/15	0124	Wed	0037	Drunk people outside banging on callers door. All units committed. Caller rang back, they had all gone.
21/06/15	0238	Sun	0110	Suspected drink driver. Details circulated
22/07/15	0227	Sun	0217	Fight outside the pharmacy. No offences
22/07/15	0227	Sun	0214	Youths throwing bottles and screaming. Group then moved down street
22/07/15	0155	Wed	0064	15 youths throwing litter outside garage
22/07/15	0128	Wed	0055	15 youths setting fire to paper and throwing it around
22/09/15		Sun	0281	Male with a knife. Log later updated that he had driven off
02/09/15	0011	Wed	0008	Possible drink driver. He is in pub now but will leaving soon.
29/09/15	0004	Tues	0007	Saw male with a knife. Male detained.

Yellow = occurred between midnight and 0130 hrs (time Bolton Hotel closes).

Green = occurred between 0130 hrs and 0300 hrs (ie between time Bolton Hotel closes and up to closing time for Jackz Bar).

Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).

01/01/16	0248	Fri	0335	Patient assaulted, kicked to head. Male had been to Bolton Hotel, he is fine, spoken to by police.
16/01/16	0010	Sat	0013	Female very scared and cold saying she is not feeling well.
21/01/16	0139	Thurs	0031	Possible issues with covers in road. Update re drain cover raised and causing possible hazard.
08/02/16	0214	Mon	0054	Bicycle in middle of road. No one seen nearby. Police attended, bike had been moved.
21/02/16	0301	Sun	0145	Group of youths causing problems outside Parkham Service Station. Making a lot of noise, shouting and disturbing local residents.
21/02/16	0112	Sun	0077	Domestic in street. Near the church. He is beating up his girlfriend. Member of public spoken to by police, nothing seen

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Red = occurred after 0300 hrs (ie the time persons will leave both the Bolton Hotel and Jackz Bar).



Alcohol / Licensing Information Form

File No.:	Computer URN:	Minute No.:
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To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. Nominal and / or intelligence **MUST** be submitted via Source and Covert Intelligence System (CIS).

- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: Visit Incident Other Date: 26/11/2016 Time: 0115

OIS Ref.: 22 26/11/16

Crime No.:

Name of premises (where applicable): The Bolton Hotel

Address: The Bolton Hotel, New Rd, Brixham,

Brief summary / action taken:

Designated Premises Supervisor (DPS) on the premises? Yes No

Name of DPS (or person in charge if no DPS): Steve Close

Helpful Unhelpful Obstructive Other:

Submitted by: Name: ARSCOTT

Force No.: 15253

Signed: E.Arscott

Date: 26/11/2016

Time: 0115

Officers present at inspection:

15253, 486

ISR Report

DEVON & CORNWALL POLICE

ISR Report:

DCP-20161126-0022 (Closed)

26/11/2016 00:24:33	4A, VIOLENCE	DCP-20161126-0022 / DCP	FEC	DCP V3
Priority:(1) IMMEDIATE	AGGRESSIVE MALES	BERRY HEAD	Officer Dealing:12320	
Operator:57110	Dispatcher:56766	FB2D (292337,56005)	Creator Wkstrn:CCWSWB1	

Address Information	
BOLTON HOTEL, BOLTON HOTEL	
NEW RD, , BRIXHAM, TQ5 8LT	
Proximity:	<input checked="" type="checkbox"/> Gazeteer Validation

Disposition Codes
VIOLENCE (R)
DRINK RELATED

Complainant Information
██████████
BOLTON HOTEL,NEW RD BRIXHAM, TQ5 8LT
STAFF ON DUTY <input type="checkbox"/> Media Consent <input type="checkbox"/> Repeat Vict. <input type="checkbox"/> Vulnerable/ At Risk <input type="checkbox"/> HYS Priority <input type="checkbox"/> ETA Given
Notes:

Date / Time Information		
Call Received	26/11/2016	00:24:33
Call Answered	26/11/2016	00:24:33
Incident Created	26/11/2016	00:24:33
Address Validated	26/11/2016	00:24:43
Initial Input Complete	26/11/2016	00:26:12
Transfer Sent	26/11/2016	00:26:22
Transfer Accepted	26/11/2016	00:26:22
Resource Dispatched	26/11/2016	00:36:00
Arrived at Scene	26/11/2016	00:54:28
Units Cleared	26/11/2016	01:44:28
Incident Disposed	26/11/2016	01:45:18

Qualifiers	
DISPOSAL QUALIFIERS	ALCOHOL RELATED
DISPOSAL QUALIFIERS	PUBLIC PLACE
DISPOSAL QUALIFIERS	CLOSED BY MOCE
THEME	CRIME

ISR Relations	
CALL CARD - XREF CALL	DCP-20161126-0041 ASSOCIATED BY OPERATOR 57278
UNIFI CRIME REFERENCE - INC RELATION	CR/083867/16:REQUESTED BY OPERATOR 30087

ISR Comments				
OBJECT(S) VIEWED	26/11/2016	00:24:46	CCWSWB1	57110
6 MALES HAVE BEEN KICKED OUT FOR FIGHTING IN SIG	26/11/2016	00:25:55	CCWSWB1	57110
.	26/11/2016	00:25:57	CCWSWB1	57110
THEY ARE NOW OUTSIDE BEING AGGRESSIVE TO DOOR STAFF AND KICKING THE DOOR	26/11/2016	00:26:12	CCWSWB1	57110

Vulnerable/At Risk=N	26/11/2016	00:26:12	CCWSWB1	57110
SOP(s) VIEWED Call Type\VIOLENCE.mht	26/11/2016	00:26:16	CCWSWB1	57110
Priority Transfer To TBRAD From Terminal CCWSWB1 Priority Control	26/11/2016	00:26:22	CCWSWB1	57110
TBRAD For Control	26/11/2016	00:26:26	TBRAD	57278
APOLS CALL CAME THROUGH ON SWITCHBOARD AND HAVE LOST CALLERS CONTACT NUMBER	26/11/2016	00:28:18	CCWSWB1	57110
Warning: Dispatch time target about to be breached	26/11/2016	00:30:21	APPSERVER	MAPP
TBRAD -NOTED, ALL UNITS COMMITTED ATT, WILL RESOURCE WHEN ABLE	26/11/2016	00:31:35	TBRAD	57278
Incident added to Mylist 56766	26/11/2016	00:34:22	SDRAD	56766
Failure to hit Dispatch time target	26/11/2016	00:35:25	APPSERVER	MAPP
JS40L DISPATCH FROM INFORMED FORM	26/11/2016	00:36:00	SDRAD	56766
DEPLOYMENT MESSAGE SENT TO JS40L (12320 MARSHALLSAY #4434713): IMMEDIATE; VIOLENCE; TQ5 BLT; BOLTON HOTEL; NEW RD, BRIXHAM; STEVE; 0; DCP-20161126-0022	26/11/2016	00:36:01	AWSERVER	AWSRV
J145L DISPATCH FROM INFORMED FORM	26/11/2016	00:36:25	SDRAD	56766
DEPLOYMENT MESSAGE SENT TO J145L (15987 PORTER #4434717): IMMEDIATE; VIOLENCE; TQ5 BLT; BOLTON HOTEL; NEW RD, BRIXHAM; STEVE; 0; DCP-20161126-0022	26/11/2016	00:36:26	AWSERVER	AWSRV
SH642 DISPATCH FROM INFORMED FORM	26/11/2016	00:36:38	SDRAD	56766
DEPLOYMENT MESSAGE SENT TO SH642 (75342 MARTIN #4434719): IMMEDIATE; VIOLENCE; TQ5 BLT; BOLTON HOTEL; NEW RD, BRIXHAM; STEVE; 0; DCP-20161126-0022	26/11/2016	00:36:39	AWSERVER	AWSRV
FT31L DISPATCHED BY DRAG/DROP	26/11/2016	00:36:40	TBRAD	57278
DEPLOYMENT MESSAGE SENT TO FT31L (15253 ARSCOTT #4434721): IMMEDIATE; VIOLENCE; TQ5 BLT; BOLTON HOTEL; NEW RD, BRIXHAM; STEVE; 0; DCP-20161126-0022	26/11/2016	00:36:42	AWSERVER	AWSRV
JS21N DISPATCH FROM INFORMED FORM	26/11/2016	00:37:13	SDRAD	56766
DEPLOYMENT MESSAGE SENT TO JS21N (14336 CONSTANTINOU #4434723): IMMEDIATE; VIOLENCE; TQ5 BLT; BOLTON HOTEL; NEW RD, BRIXHAM; STEVE; 0; DCP-20161126-0022	26/11/2016	00:37:15	AWSERVER	AWSRV
JS21L DISPATCH FROM INFORMED FORM	26/11/2016	00:37:47	SDRAD	56766
DEPLOYMENT MESSAGE SENT TO JS21L (10486 HENRY #4434728): IMMEDIATE; VIOLENCE; TQ5 BLT; BOLTON HOTEL; NEW RD, BRIXHAM; STEVE; 0; DCP-20161126-0022	26/11/2016	00:37:48	AWSERVER	AWSRV
J145L 2 - Available	26/11/2016	00:37:54	SDRAD	56766
Warning: Arrival time target about to be breached	26/11/2016	00:40:27	APPSERVER	MAPP
SPEAKING TO BOLTON HOTEL TEL 01803859353 - GROUP HAVE GONE UP TOWARDS WEATHERSPOONS. THERE IS ONE MALE WHO HAS BEEN ASSAULTED WHO STAFF AT HOTEL WILL TRY AND KEEP THERE UNTIL OUR	26/11/2016	00:42:40	CRE1	56907
ATTENDANCE. NO DETAILS OF THE MALE AGG ATT	26/11/2016	00:42:40	CRE1	56907
900 - MALE ON FLOOR WITH BALCK JUMPER BLACK TRACKSUIT JACKETS, 3 OTHER MALES IN HIGH VIS	26/11/2016	00:45:08	TBRAD	57278
Failure to hit Arrival time target	26/11/2016	00:45:30	APPSERVER	MAPP
900 -GETTING HEATED AGAIN NOW	26/11/2016	00:45:31	TBRAD	57278
900 - LOOKS LIKE BOTH PARTIES HAVE SEPERATED ATT	26/11/2016	00:50:28	TBRAD	57278
Cross Referenced By Incident DCP-20161126-0041 DUPLICATED INCIDENT	26/11/2016	00:51:53	TBRAD	57278
FT31L 6 - At Scene	26/11/2016	00:54:28	TBRAD	57278
900 - INCIDENT HAPPENED OUTSIDE OF CAMERA PLACE BUT UNITS WENT STRAIGHT PAST.	26/11/2016	00:55:21	TBRAD	57278
MALES HAVE GONE DOWN CAVERN STEPS AND OUT OF SIGHT, 1 IN HIGH VIS AND GOING INTO FORE STREET.	26/11/2016	00:55:56	TBRAD	57278
JS40L 6 - At Scene	26/11/2016	00:57:21	AWSERVER	AWSRV
OTHER 2 MALES HAVE GONE DOWN CAVERN STEPS ASWELL.	26/11/2016	00:57:39	TBRAD	57278

JS40L - IM IN SIG WITH THE VICTIM NOW SECURITY ARE SAYING THAT THEY CAN ID THE OFFENDERS AND KNOW EXACTLY WHERE TO FIND THEM AT WORK TOMORROW	26/11/2016	00:58:47	TBRAD	57278	
JS21L 6 - At Scene	26/11/2016	01:00:33	AWSERVER	AWSRV	
JS21N 2 - Available	26/11/2016	01:03:33	SDRAD	56766	
JS21L - NO COMPLAINT FROM AGGRIEVED, AND I HAVE VIEWED CCTV TAKEN DETAILS FOR COMMON ASSAULT FOR SLOW TIME ENQ'S LOOKED LIKE 6 OF 1 AND HALF A DOZEN OF THE OTHER.	26/11/2016	01:30:51	TBRAD	57278	
FT31L UNIT HAS BEEN DIVERTED: DCP-20161126-0060	26/11/2016	01:32:35	TBRAD	57278	
SH642 6 - At Scene	26/11/2016	01:44:19	CRE1	56907	
SH642 2 - Available	26/11/2016	01:44:20	CRE1	56907	
JS40L 2 - Available	26/11/2016	01:44:26	CRE1	56907	
JS21L 2 - Available	26/11/2016	01:44:28	CRE1	56907	
Transfer To TBRAD From Terminal CRE1 Action	26/11/2016	01:44:28	CRE1	56907	
Incident referred to TBRAD for possible closure	26/11/2016	01:44:28	CRE1	56907	
Transfer Accepted At Terminal TBRAD For Action	26/11/2016	01:44:37	TBRAD	57278	
Complete person record: No:	26/11/2016	01:45:00	CRE1	56907	
Complete person record: No:	26/11/2016	01:45:12	CRE1	56907	
DETAILS NOT ADDED TO LOG	26/11/2016	01:45:12	CRE1	56907	
Disposition code: ,171',270'	26/11/2016	01:45:18	CRE1	56907	
No. of Arrests N.F.A. No. of Reports	26/11/2016	01:45:18	CRE1	56907	
OIC 12320	26/11/2016	01:45:18	CRE1	56907	
Qualifiers,ALCOHOL RELATED,PUBLIC PLAGE,CLOSED BY MOCE	26/11/2016	01:45:18	CRE1	56907	
DCP-20161126-0022 HAS BEEN DISPOSED	26/11/2016	01:45:18	CRE1	56907	
INCOMPLETE ACTIONS LOGGED ON INCIDENT DISPOSAL	26/11/2016	01:45:18	CRE1	56907	
Complete person record:NO	26/11/2016	01:45:18	CRE1	56907	
Complete vehicle record:NO	26/11/2016	01:45:18	CRE1	56907	
Crime reference:NO	26/11/2016	01:45:18	CRE1	56907	
If Domestic related complete DASH:NO	26/11/2016	01:45:18	CRE1	56907	
Make sure any PNC markers are removed before closure:NO	26/11/2016	01:45:18	CRE1	56907	
VIST If juvenile involved:NO	26/11/2016	01:45:18	CRE1	56907	
CRIME NUMBER CR/083867/16 ADDED AS PRIMARY REFERENCE	27/11/2016	09:35:40	EL_REPORT3	30087	
No.	Action Plan Title	Status	Priority	Badge #	Officer Last Name

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Alcohol / Licensing Information Form

File No.:	Computer URN:	Minute No.:
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To be completed for any alcohol related incident or for information on any licensed premises. When attending an incident please use the reverse of this form to record as much detail as operationally possible. This form to be submitted to the Licensing Unit as soon as possible. **Nominal and / or intelligence MUST be submitted via Source and Covert Intelligence System (CIS).**

- Licensing objective:**
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: Visit Incident Other Date: 12/11/16 Time: 22350

OIS Ref.: 939

Crime No.:

Name of premises (where applicable): THE BOLTON HOTEL,

Address: NEW ROAD, BRIXHAM

Brief summary / action taken:

Designated Premises Supervisor (DPS) on the premises? Yes No

Name of DPS (or person in charge if no DPS):

Helpful Unhelpful Obstructive Other:

DISPUTE BETWEEN A CUSTOMER AND STAFF OVER NON PAYEMNT FOR A BOTTLE OF WINE LEAD TO CUSTOMED BEING EJECTED. HE CALLED THE POLICE STATING THAT HE WAS ASSAULTED BY STAFF.

Submitted by: Name: DAVE THOMAS

Force No.: 6400

Signed:

Date: 13112016

Time: 1100

Officers present at Inspection:

6400 6676 6204



Alcohol / Licensing Information Form

File No.:		Computer URN:		Minute No.:	
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- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: <input type="checkbox"/> Visit <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Other	Date: 01.10.16 Time: 00.15
OIS Ref.: 0032 of 01.10.16	Crime No.:
Name of premises (where applicable): Bolton Hotel Outside	
Address: New Road, Brixham TQ5 8LT	
Brief summary / action taken:	
Designated Premises Supervisor (DPS) on the premises? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Name of DPS (or person in charge if no DPS): [REDACTED] Door Staff SIA number [REDACTED]	
<input checked="" type="checkbox"/> Helpful <input type="checkbox"/> Unhelpful <input type="checkbox"/> Obstructive Other:	
Staff assisted and were helpful. <i>T/O.</i>	
Submitted by: Name: Ria Davis	Force No.: 75386
Signed: Ria Davis	Date: 01.10.16 Time: 00.56
Officers present at inspection:	
75386,	

Licensed Premises Visit Checklist

Any information from these checks to be included in 'Brief summary' overleaf.

Administration:

1. Premises Licence (summary displayed)? Yes No
(It should be displayed in the public area)
2. Premises Licence (complete) produced to officers? Yes No
(A constable can request to see full licence)

Crime and Disorder:

1. Any violence inside / outside premises? Yes No
2. Any public order inside / outside premises? Yes No
3. Any evidence of drugs found inside / outside premises? Yes No
4. Any drinks promotions in operation at time of visit? Yes No
5. Any evidence of excessive drunkenness? Yes No

Public Safety:

1. CCTV on premises? Yes No
Incident captured? Yes No
Image quality? Good Poor Other:
Working at time of visit? Yes No
Staff able to download? Yes No
2. Door staff on duty? Yes No If Yes, number: 2
SIA licensed? Yes No
Licence displayed? Yes No
3. Do the premises look overcrowded? Yes No
4. Method of checking the customer numbers:
5. Radio system in use? Yes No
6. Tables / glasses kept tidy? Yes No
7. Any smoking inside premises? Yes No

Public Nuisance:

1. Any noise or nuisance outside of premises? Yes No
2. Any smokers standing outside of premises? Yes No
3. Any excessive litter / debris outside of premises? Yes No

Protection of Children:

1. Any underage offences detected on the premises? Yes No
2. What proof of age policy is operated in the premises?
3. How is this publicised?
4. Do staff appear trained in proof of age? Yes No

Any other information:

Patron ejected from the Bolton by door staff out of the back door. He then proceeded to walk around to the front door of the premises and try to gain entry. He said to a staff member, "I'm going to put the window through" He then threw a shell ashtray at the door which hit the window. No damage. Spoke to door staff who were happy for him to leave the area.

Person asked to move out of area and initially agreed but later called called back as was trying to access premises again. Another unit and ambulance called as he has put his foot through the door.



Loss Thurs 28/7

Alcohol / Licensing Information Form

File No.:	Computer URN:	Minute No.:
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- Licensing objective:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.

Report type: Visit Incident Other Date: 10/07/16 Time: 2350

OIS Ref.: Crime No.:

Name of premises (where applicable): Bolton Hotel, Brixham

Address: Bolton Street, Brixham

Brief summary / action taken:

Designated Premises Supervisor (DPS) on the premises? Yes No

Name of DPS (or person in charge if no DPS):

Helpful Unhelpful Obstructive Other:

Disorder at the entrance.

A female was outside trying to get in, when another female came out and a fight ensued.

There was other females standing outside the premises smoking.

DPS and doorstaff intervened with Police to separate females.

Other persons came out of location and had to be sent back inside.

This resulted in broken glass on the pavement area

Submitted by: Name: Cayless

Force No.: 16376

Signed: PS 6376 Cayless

Date: 10/07/16

Time:

Officers present at inspection:

PS 6376 Cayless

PC 6400 Thomas

PC 2814 Freeborn

PC 6676 Thomas

1111

Memorandum

To:	TORBAY COUNCIL	From :	Community Safety
c.c	21 APR 2017	Contact :	Mr Karl Martin
c.c.		Ext :	01803 208025
c.c	COMMUNITY SAFETY	My Ref :	1ZV SRU No: 237190/KJM
For the attention of: Licensing Gary O'Shea		Your Ref :	
		Date :	21 ST April 2017

Subject: Premises– Licensing Act 2003
Premises Name & Address: New premises licence application for Bolton Hotel, New Road, Brixham, TQ5 8LT

Dear Gary

I wish to make representation under the licensing objective 'The Prevention of Public Nuisance'.

In March 2016 an application to extend the hours for alcohol and regulated entertainment was heard and refused by Torbay Councils Licensing Sub-committee. At this time an objection was raised by Environmental Protection.

Following the Committee hearing a number of meetings were held at the premises with the applicant to discuss a second application.

The application does not seek to change the time and frequency of live music. Instead two variations are sought under the Prevention of Public nuisance which could negatively impact on this licensing objective. The key changes are:-

1. Recorded music increased by 1 hour on Friday and Saturday only from 00:30 till 01:30.
2. Sale of Alcohol increased by 30 minutes from on a Friday and Saturday from 01:00 till 01:30 with the premises closing at 02:00.

As highlighted in the original representation the view of Environmental Protection would not change unless the applicant considered further suitable and sufficient conditions to alleviate the concerns of the Officer.

During consultation with the applicant a number of conditions were put forward that if accepted the Officer is confident will remedy concerns regarding noise breakout. The conditions seek not only to resolve the changes made in this application but go further by offering reassurance relating to live music which is not the subject of this application. The bulk of the conditions relates to the installation and use of a noise limiter for which all regulated entertainment must be played through.

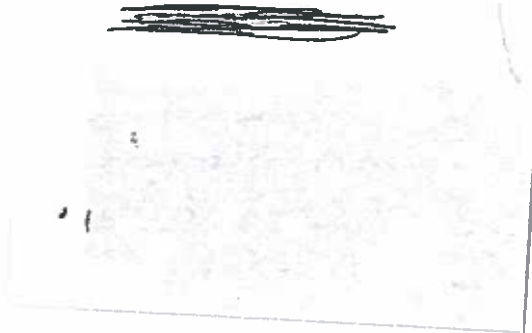
The later opening hours can negatively impact the noise environment as customers leave the premises and the general area later. Noise from customers can be a challenge and difficult to condition. Devon and Cornwall Police Licensing Officers have suggested conditions relating to SIA door stewards which play an important role in managing customer noise and the Officer is satisfied their presence will assist the applicant in dealing with noise. A written noise management plan has been asked for as a conditions which must take into account the management of customer noise.

As the applicant has consulted and agreed to a range of conditions I am not objecting to the application as such, but on the basis Members are required to consider the merits of an application and therefore may have technical questions to ask this representation allows me to present at the hearing and ensures that measures discussed are incorporated on any licence that is deemed to be granted.



Mr Karl Martin
Public Protection Officer

18 April 2017

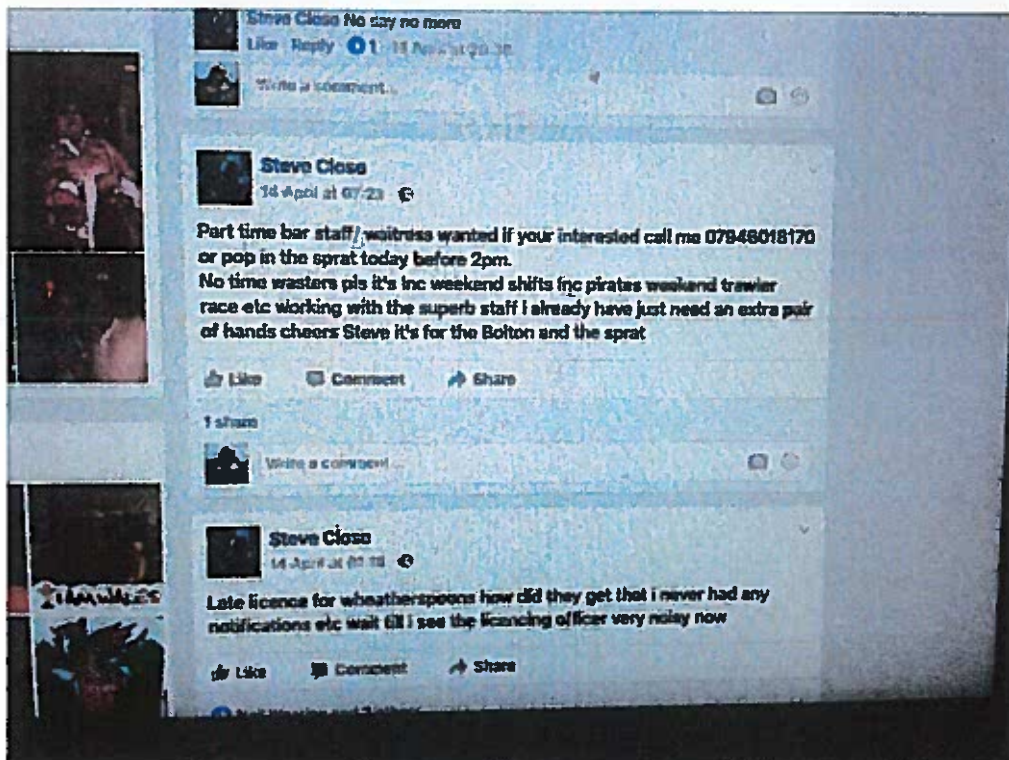
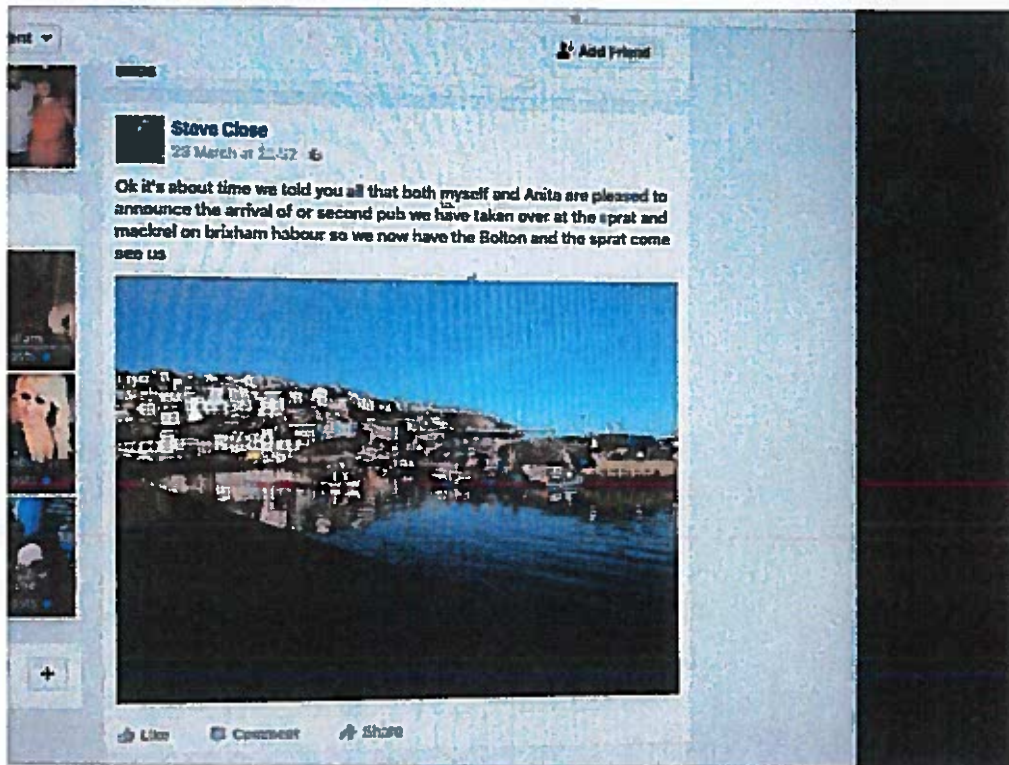


RE: Variation of premises licence of the Bolton Hotel
Premises license number PL 0445

To The Licensing Authority at Torbay council,

It is a year now since the last application was submitted and refused by Yourselfs to vary the Bolton Hotel license , My main concern over this variation to extend the opening hours and the sale of alcohol is still the same , even though Steve Close is still the DPS the Bolton is still run by a holding company Pub Solutions which can at any time replace their staff as they choose, as we well know from other 7 DPS 's in the last 7 years. Steve Close has also been running The Sprat and Mackerel another pub solutions premises , but I've also noticed not the DPS !! The women who is DPS left months ago is this a pub solutions cover up? So licensing don't know he's not going to be at the The Bolton? (please see enclosed screenshots publicly announcing the fact and advertising for staff)

A late night license requires a lot of hard work to make sure you do not breach the four licensing objectives , I have had mine for 17



years and work together closely with the council to make sure I do not breach mine , which is in my interests as I own my lease

The Prevention of Crime and Disorder being the main objective in this case .

- The Bolton if it should have it's opening hours be extended to 2.00 am , would have the same closing times as my bar , a lot of clientele from the Bolton are barred from most premises in Brixham including mine , I have a drinking up time till 3am so customers can filter out rather than have a massive influx of people on the streets at one time , which if the Bolton had the same times as myself would definantly cause a public nuisance to surrounding living accommodation as I find it hard work getting people to move on rather than stay and chat at present without adding an additional 120 to that number .

I would also like to point out that The Bolton has been closing at midnight for the last four months and has not been using there at present extended hours till 1.30am , so therefore have not needed SIA doormen , there has been still a lot of fights in the pub and the police have been called on numerous occasions where it has spilt out into the street and this has been early evening , how would they be able to control being open later , when it can't be controlled early evening . I also cannot understand why a premises would want to extend their hours when they don't use the hours that already have available to them , is this a ploy to deceive the licensing authority to believe their is no late night trouble between 00.30 and 1.30 am, a fact that was pointed out by the police regarding the Bolton Hotel previously , I have made

the licensing department and the SIA aware of these opening hours on a visit paid to myself at Jackz on different occasions .

PUBLIC NUISANCE

Over the years there has been lots of issues with noise as there are a lot of residents on a complex called Saxon Heights close by , who have repeatedly complained about music should the Bolton want to increase there times for Live Music and recorded music they should as I have Secondary glazing and maybe air conditioning fitted to stop the need to leave doors and windows open in the Summer months when they reach their capacity otherwise there will definantly causing public nuisance to surrounding areas !! Even if there is a limiter fitted , how does it work with live music they can't turn drums etc.. down ?

Yours sincerely