

# Memorandum

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<b>To:</b> Licensing	<b>From</b> :	<b>Community Safety</b>
<b>c.c</b>	<b>Contact</b> :	Mr Gareth Fudge
<b>c.c.</b>	<b>Ext</b> :	01803 208010
<b>c.c</b>	<b>My Ref</b> :	1ZV SRU No: 160718/GDF
<b>For the attention of: Licensing Steve Cox</b>	<b>Your Ref</b> :	
	<b>Date</b> :	29 March 2011

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**Subject: Premises– Licensing Act 2003**  
**Premises Name & Address: Coyote Cafe Bar, , 3-4 Union Street,  
Torquay, Devon, TQ2 5QG**

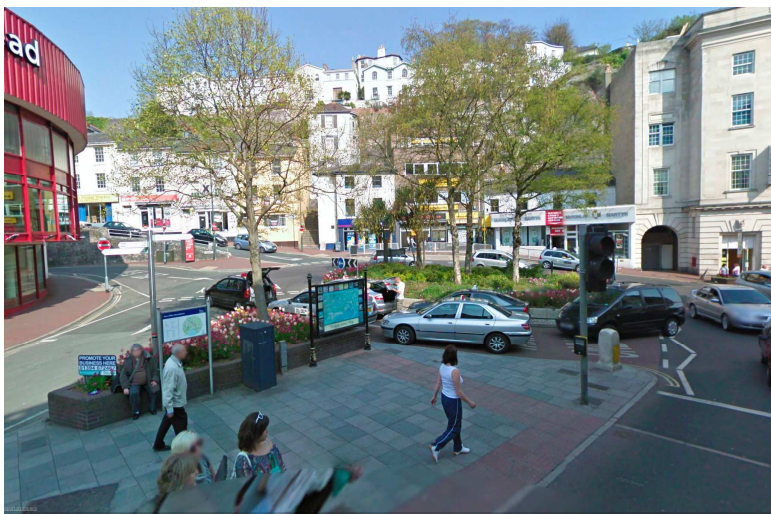
- a) I have no comments to make on the above application
- b) The application does not meet the following licensing objectives:
- i) Prevention of crime and disorder
  - ii) Protection of children from harm
  - iii) Public safety
  - iv) Prevention of public nuisance

This premises is situated in a mixed residential and commercial area of Union Street in the centre of Torquay. Whilst it is not immediately adjacent to the premises some of the residential accommodation is occupied by vulnerable adults as there is sheltered accommodation opposite the main entrance on Abbey Road. Furthermore, there are a large number of flats above the Tesco store opposite in Fleet Street.

I have already received complaints in respect of noise arising from the premises. I believe the number of complaints received has been limited by the fact that the premises has only been open thus far through the winter. This has the effect of limiting the number of people that attend the premises and reducing the level of noise reaching sensitive people as they tend to have their windows closed.



Picture 1 – Note you can see the residential accommodation on the right hand edge of the photograph



Picture 2 – Photograph from Abbey Road

However, as the summer approaches, I am concerned that there will be a significant increase in disturbance arising from the premises particularly from patrons attracted to the area by the later hours, most notably, this will occur at 03:30 am when the premises closes and when patrons leave the premises to smoke.

The nearest housing is a sheltered housing complex for the elderly, and it is clear, that they will not be able to have their windows open during the summer evenings as they are likely to be disturbed by the activities of patrons at the above premises, particularly at closing time. Furthermore, the Residential accommodation above the Tesco Store is also likely to be disturbed.

I have not received any communication from the management of the premises identifying how they intend to address my concerns.

If the committee are minded to grant the extension to the licence, I recommend that careful consideration be given to conditions being placed on the licence.

Typically in these situations, I receive complaints regarding patrons outside premises smoking causing noise complaints as well as noise from patrons leaving. The Health and Safety Executive published information that indicates that 80% of people ignore signs giving instruction, I therefore, have no reason to believe that patrons leaving the premises who have been drinking will pay any more heed to signs requesting that they leave quietly

so I do not feel the provision of signs would offer any control. I would therefore, recommend that conditions be placed on the consent requiring that door staff actively manage patrons in the street and speak to them when they leave to ensure that they behave in a reasonable manner. Active management would include such measures as speaking to customers being unduly noisy and banning persistent offenders.

**Mr Gareth Fudge**

Senior Environmental Health Officer