



**APPLICATION  
FOR THE GRANT OF A  
PREMISES LICENCE**

**NOTIFICATION**

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

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

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

**Completed forms should be returned to:**

**Environmental Health Manager (Commercial)**

**Torbay Council**

**Community Safety**

**C/O Torquay Town Hall**

**Castle Circus**

**Torquay**

**TQ1 3DR**

**Contact Details:**

**Tel: 01803 208025**

**Web: [www.torbay.gov.uk](http://www.torbay.gov.uk)**

**Email: [licensing@torbay.gov.uk](mailto:licensing@torbay.gov.uk)**



**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/                Stephen Edward Dare  
We

-----  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Hennessey Cocktail Lounge</b> <b>2 King Street</b>			
Post town	Brixham	Postcode	TQ5 9TF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£ 11750

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |    |                                     |                                     |                             |
|----|-------------------------------------|-------------------------------------|-----------------------------|
| a) | an individual or individuals *      | <input checked="" type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * |                                     |                             |
|    | i. as a limited company             |                                     | please complete section (B) |
|    | ii. as a partnership                |                                     | please complete section (B) |

- |      |   |                             |
|------|---|-----------------------------|
| iii. | as an unincorporated association or   | please complete section (B) |
| iv.  | other (for example a statutory corporation)   | please complete section (B) |
| c)   | a recognised club   | please complete section (B) |
| d)   | a charity   | please complete section (B) |
| e)   | the proprietor of an educational establishment  | please complete section (B) |
| f)   | a health service body   | please complete section (B) |
| g)   | a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales   | please complete section (B) |
| ga)  | a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | please complete section (B) |
| h)   | the chief officer of police of a police force in England and Wales  | please complete section (B) |

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or Y

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr		Other Title (for example, Rev)	
Dare		Stephen Edward	
Date of Birth over		I am 18 years old or yes	
Nationality		[REDACTED]	
Current residential address if different from premises address		[REDACTED]	
Post town	[REDACTED]	Postcode	[REDACTED]

<b>Daytime contact telephone number</b>	[REDACTED]
<b>E-mail address (optional)</b>	[REDACTED]

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
21	09	2022

If you wish the licence to be valid only for a limited period, when do you want it to end?

Please give a general description of the premises (please read guidance note 1)

Cocktail Bar by the harbour, has previously traded for 5+ years.

3 Unisex toilets.

Small food prep area out the back.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment** (please read guidance note 2)

Please tick any 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)

Y

Y

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

Y

**Supply of alcohol** (if ticking yes, fill in box J)**In all cases complete boxes K, L and M****A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place in- doors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors Y Outdoors Both
Day	Start	Finish		
Mon	10:00	00:00	<b><u>Please give further details here</u></b> (please read guidance note 4)	
Tue	10:00	00:00		
Wed	10:00	00:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)	
Thur	10:00	00:00		
Fri	10:00	00:00	<b><u>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</u></b> (please read guidance note 6)	
Sat	10:00	00:00	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day	
Sun	10:00	00:00		

<b>Late night refreshment</b> Standard days and tim- ings (please read guid- ance note 7)			<b>Will the provision of late night refreshment</b> <b>take place indoors or outdoors or both –</b> <b>please tick (please read guidance note 3)</b>		Indoors	
					Outdoors	
Day	Start	Finish			Both	X
Mon	23:00	00:30	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Tue	23:00	00:30				
Wed	23:00	00:30	<b><u>State any seasonal variations for the provision of late night re- freshment</u></b> (please read guidance note 5)			
Thur	23:00	00:30				
Fri	23:00	00:30	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat	23:00	00:30	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day			
Sun	23:00	00:30				

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises		
				Off the premises		
Day	Start	Finish		Both		Y
Mon	10:00	00:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)			
Tue	10:00	00:00				
Wed	10:00	00:00				
Thur	10:00	00:00	<b>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</b> (please read guidance note 6)  On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day			
Fri	10:00	00:00				
Sat	10:00	00:00				
Sun	10:00	00:00				

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

Name Stephen Edward Dare	
Date of Birth [REDACTED]	
Address [REDACTED] [REDACTED]	
Postcode	[REDACTED]
Personal licence number (if known) PA3809	

Issuing licensing authority (if known) Torbay Council

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).

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	00:30	<b>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</b> (please read guidance note 6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	00:30	
Fri	10:00	00:30	
Sat	10:00	00:30	

Sun	10:00	00:30	

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

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

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All ejections of patrons
- iv. Any complaints received
- v. Seizures of drugs or offensive weapons
- vi. Any faults in the CCTV system
- vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority

All staff engaged in licensable activity at the premises will receive training and information in relation to the following prior to being authorised to sell/supply alcohol at the premises:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
- vii. Staff shall be fully trained in the requirement of the Licensing Act 2003 including that in relation to persons under 16 and 18.
- viii. Staff shall receive training in the safe guarding of children.

ix. All staff are trained in the operation of the CCTV.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month intervals. Training records shall be retained on the premises for a period of 12 months and made available to Responsible Authorities on demand.

The premises shall sign up to a licensing support scheme such as Best Bar None and ensure that they meet the standards required by that scheme at all times.

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

The refusals register will be made available for inspection and copying on the request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.

All persons within the premises shall be seated at tables (other than when using the toilets/entering/leaving or ordering at the counter). All customers shall be served by waiter/waitress service.

Facilities shall be available for the provision of food items which involves minimal preparation and heating, for example sandwiches/pizza/cake. Food items shall be available throughout the time the premises are open to the public.

## 1. CCTV

- i. The premises shall install, operate and maintain comprehensive digital colour CCTV.
- ii. All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.
- iii. A monitor shall be located behind the bar for viewing by staff.
- iv. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.
- v. The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
- vi. All equipment must have a constant and accurate time and date generation.
- vii. All recordings will be stored for a minimum period of 28 days with date and time stamping.
- viii. Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).
- ix. The PLH/DPS shall be responsible for purchasing suitable storage devices and a quantity of these shall be kept on the premises at all times to ensure footage is provided with minimum delay.
- x. The CCTV system will be capable of downloading images to a recognisable viewable format.
- xi. There will be security measures in place to ensure the integrity of the system to prevent the tampering with or deletion of images.
- xii. Any identified defect in the CCTV system shall be logged at the premises and remedied as soon as reasonably practical. The Police Licensing Officer or Police Licensing Team shall be notified by email of all defects, the action required to rectify the situation and the time frame for such action within 24 hours of the defect being identified.

**b) The prevention of crime and disorder**

All off sales of alcohol shall be provided in original sealed containers. Staff shall advise customers that the alcohol should not be consumed within the Public Space Protection Order area (PSPO) and refer them to the PSPO map, which shall be displayed at the point of sale and the premises exit.

When door supervisors are on duty they shall carry out random searches of individuals to promote the premises drugs policy and identify individuals in possession of items that could be used as a weapon, ie knives.

The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs. A copy of this policy shall be retained on the premises and shall be made available for inspection by responsible authorities on demand.

**c) Public safety**

17. The Premises Licence Holder shall ensure that at all times there are adequate First Aid arrangements. The arrangements for First Aid provision include a First Aid Box, an adequate and appropriate supply of First Aid equipment and materials to be used by customers. Suitable protective equipment shall be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures shall be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable diseases. The Premises Licence Holder shall ensure that at all times there are adequate First Aid arrangements. The arrangements for First Aid provision include a First Aid Box, an adequate and appropriate supply of First Aid equipment and materials to be used by customers. Suitable protective equipment shall be provided to deal with hypodermic needles, blood spillages and other body fluids. Procedures shall be in place to ensure that body fluids are dealt with in a safe manner to avoid the risk of communicable diseases.

18. Staff will ensure that regular glass collection takes place within the premises.

**d) The prevention of public nuisance**

On Friday and Saturday evenings, Bank Holiday Sundays, Christmas Eve, Christmas Day, Boxing Day and New Years Eve, SIA door supervisors shall be employed on the premises from 2100 hrs un-

til all customers have left the vicinity of the premises, at a ratio of 2 stewards for the first 100 customers and one additional steward for each 100 persons thereafter. The Premises Licence Holder shall also carry out a risk assessment taking the layout of the premises and the proposed activity to be carried out into consideration to determine whether any additional stewards are required.

On all other occasions when door stewards are not required as indicated within condition 2 above, the Premises Licence Holder shall carry out a written risk assessment to determine whether SIA door stewards shall be employed at the premises, taking the layout of the proposed activity to be carried out and any previous incidents, complaints or concerns brought to the attention of the Premises Licence Holder into consideration. All risk assessments shall be kept on the premises for a period of 12 months and produced on demand to Responsible Authorities.

Notices shall be displayed at all exits requesting customers to respect the needs of local residents by ensuring they do not cause noise outside the premises or when leaving.

From 2100 hrs daily staff and/or door stewards shall monitor customers outside smoking or queuing to ensure they do not engage in anti-social behaviour and control noise levels so as not to disturb nearby residents.

On calling last orders an announcement shall be made requesting customers to leave the area as quickly and quietly as possible.

After the premises close, staff and/or door stewards shall ensure that customers leave the area in a quiet and orderly manner, with customers being told not to stand around talking in the street.

The premises shall have a written management policy in respect of managing customers queuing outside the premises. This policy shall be kept on the premises and produced on demand to responsible authorities.

There is no designated smoking area at the premises, so customers who wish to smoke will have to do so in the road or directly opposite the premises. After 2100 hrs only 5 customers will be permitted to smoke outside at any time. Any customers that behave in a noisy or disorderly manner in the smoking area or queue shall be removed from that area and where appropriate asked to leave the premises. Details of this shall be recorded in the incident book.

A noise limiter will be installed and set at an agreed level by the local authority. The limiter will be set with doors and windows open.

**e) The protection of children from harm**

19. The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification as outlined within the Torbay Council Licensing Statement of Principles.
20. No persons under the age of 18 years shall be permitted in the premises after 2100 hrs. Any under 18's allowed entry to the premises before this time must be accompanied by a responsible adult and shall be required to leave the premises at 2100 hrs.
21. Challenge 25 posters shall be prominently displayed within the premises.

**Checklist:****Please tick to indicate agreement**

- |  |   |
|--|---|
| I have made or enclosed payment of the fee.  | Y |
| I have enclosed the plan of the premises.  | Y |
| I have sent copies of this application and the plan to responsible authorities and others where applicable.              | Y |
| I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. | Y |
| I understand that I must now advertise my application.   | Y |
| I understand that if I do not comply with the above requirements my application will be rejected.                        | Y |

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.**

**Part 4 – Signatures** (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li></ul>
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Signature	S Dare
Date	23/08/22
Capacity	Owner

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

## Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.