

**From:** [SMART Julie 50403](#)  
**To:** [Wright, Lisa](#); [Licensing](#)  
**Subject:** JETTY, 12 VICTORIA PARADE, TORQUAY  
**Date:** 19 October 2022 16:08:21  
**Attachments:** [image001.png](#)  
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Good afternoon

Please accept this email as a representation in respect of an application for the grant of a premises licence in respect of the above named premises.

This premises is situated within the Torbay Council Cumulative Impact Area, which experiences high levels of alcohol related crime and disorder, anti-social behaviour and public nuisance issues. Your policy seeks to support and encourage businesses with a focus on providing food, leisure, sports, community and family orientated activities where alcohol is ancillary to the provision of those facilities, but seeks to discourage any further vertical drinking establishments.

The application has been submitted by Fat Cow Torquay Ltd, and within Part 3 of the application, on page 4, the applicant describes the premises as a licensed coffee shop, serving hot and cold drinks, with a choice of licensed products, ie wine and beer, with hot and cold food, with approximately 30 seats for customers.

The application seeks late night refreshment from 11.00 pm to midnight daily and the sale of alcohol from 10.00 am to 10.00 pm daily, with the premises closing at midnight each day. Should this application be granted as applied for, it is likely that customers remaining in the premises to eat after 10.00 pm, will request further alcohol, which will have to be refused, leading to conflict and possible aggression, which may be difficult for staff to manage. The police therefore consider that as the sale of alcohol will cease at 10.00 pm daily it would be more appropriate for late night refreshment to cease at 10.30 pm, with the premises also closing at that time.

The operating schedule within the application refers to several measures such as CCTV, an age verification policy, limited indoor/outdoor seating, the refusal of alcohol to individuals already intoxicated and staff training, but the proposed conditions are lacking in sufficient detail to ensure they are enforceable. I therefore recommend that the below conditions are imposed on the licence:

#### I. 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.
2. Signage outlining the permitted hours for all licensable activities and the opening hours of the premises shall be prominently displayed at the entrance.
3. 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. Recognising the signs of drunkenness.
  - iv. 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.
  - v. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
  - vi. Staff shall be fully trained in the requirement of the Licensing Act 2003 including that in relation to persons under 16 and 18.
  - vii. Staff shall receive training in the safe guarding of children.
  - viii. 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.
4. 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.
5. Challenge 25 posters shall be prominently displayed within the premises.
6. All customers shall be seated at tables and served by waiter/waitress service.
7. Hot and cold food items shall be available throughout the time the premises are open to the

public.

Should you wish to discuss the above, please do not hesitate to contact me.

Kind regards

**Julie Smart**

Alcohol Licensing Officer - Torbay



**Prevention Department**

Devon and Cornwall Police, Police Station, South Street, Torquay, TQ2 5EF

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