



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I/We Jam Leisure Ltd

(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 595

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Park lane 1 Torwood street			
Post town	Torquay	Post code	Tq1 1ed

Telephone number at premises (if any)	01803 214446
Non-domestic rateable value of premises	£38400

Part 2 – Applicant details

Daytime contact telephone number	01803 292079		
E-mail address (optional)	adrian.m.hobbs@btinternet.com		
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

change of times to:-

Premises Open Hours granted

	Time From	Time To
Sunday to Friday	10:00am	3:30am

Provisions of late night refreshments

Sunday to Saturday	23:00pm	2:00am
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Sale by retail of alcohol, Live Music, Recorded Music, the Performance of dance , anything of a similar description, Making of music, Dancing, and any entertainment of a similar description.

	Time From	Time To
Sunday to Friday	10:00am	3:00am

The removal of conditions to allow under 18 events,

The attachment of conditions for the running of under 18 events

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 yes

- 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 entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	1000	0300			
Fri	1000	0300	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) Xmas eve, Newyears eve , 1100-0330		
Sat	1000	0330			
Sun	1000	0300			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	1000	0300	Please give further details here (please read guidance note 3)		
Tue	1000	0300			
Wed	1000	0300	State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur	1000	0300			
Fri	1000	0300	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 5)		
Sat	1000	0330	Xmas eve, Newyears eve , 1100-0330		
Sun	1000	0300			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Mon	1000	0300			
			State any seasonal variations for the performance of dance (please read guidance note 4)		
Tue	1000	0300			
			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5) Xmas eve, Newyears eve , 1100-0330		
Wed	1000	0300			
Thur	1000	0300			
Fri	1000	0300			
Sat	1000	0330			
Sun	1000	0300			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon	1000	0300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	0300	Please give further details here (please read guidance note 3)		
Wed	1000	0300			
Thur	1000	0300	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri	1000	0300			
Sat	1000	0330	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5) Xmas eve, Newyears eve , 1100-0330		
Sun	1000	0300			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	
			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 3)	
Mon	1000	0300		
Tue	1000	0300		
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Wed	1000	0300		
Thur	1000	0300		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5) Xmas eve, Newyears eve , 1100-0330	
Fri	1000	0300		
Sat	1000	0330		
Sun	1000	0300		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			Please give a description of the facilities for dancing you will be providing		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	1000	0300			
Tue	1000	0300			
			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Wed	1000	0300			
Thur	1000	0300			
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list (please read guidance note 5) Xmas eve, Newyears eve , 1100-0330		
Fri	1000	0300			
Sat	1000	0330			
Sun	1000	0300			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	1000	0300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1000	0300	Please give further details here (please read guidance note 3)		
Wed	1000	0300			
Thur	1000	0300	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)		
Fri	1000	0300			
Sat	1000	0330	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5) Xmas eve, Newyears eve , 1100-0330		
Sun	1000	0300			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	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 3)		
Mon	2300	0200			
Tue	2300	0200			
			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	2300	0200			
Thur	2300	0200			
			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 (please read guidance note 5)		
Fri	2300	0200			
Sat	2300	0200			
Sun	2300	0200			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	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 4)		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300			
Thur	1000	0300			
Fri	1000	0300			
Sat	1000	0330			
Sun	1000	0300			

N

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 8)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) 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 5) Xmas eve, Newyears eve , 1100-0330
Day	Start	Finish	
Mon	1000	0330	
Tue	1000	0330	
Wed	1000	0330	
Thur	1000	0330	
Fri	1000	0330	
Sat	1000	0400	
Sun	1000	0330	

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

see schedule 1 conditions to be removed

P 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,e) (please read guidance note 9)

See schedule 2

b) The prevention of crime and disorder

See schedule 2

c) Public safety

See schedule 2

d) The prevention of public nuisance

See schedule 2

e) The protection of children from harm

See schedule 2

Schedule 1 conditions to be removed

Prevention of Crime and Disorder

1. Clear notices shall be placed outside the premises indicating the opening and closing times as well as age restriction with no-one under the age of 18 being allowed to enter.
5. The Licensees shall be using a counting system operated by two doormen. Each doorman shall have a clicker, one for people arriving and one for people leaving. Once a safe occupancy level is reached no further persons shall be admitted until patrons leave or the time is reached when no further patrons are allowed to enter in accordance with the premises licensee, whichever is the first.
10. Every Door Steward and member of Management must carry effective 2 way radios with earpieces. This equipment is kept in good working order and is used at all times when the premises is open to the public.

The Promotion of Public Safety

7. At least one qualified first aider shall be present on the premises during the whole time the premises are made available for regulated entertainment.
8. The date on which any staff have obtained first aid qualifications or received refresher training shall be recorded and kept within a log book.
9. Facilities and equipment suitable for the number of patrons and the type of event undertaken shall be provided to enable first-aid treatment to be given promptly in the event of injury to patrons or staff.

The Protection of Children from Harm

1. Children below the age of 18 shall be excluded from the premises during licensing opening hours.
2. Proof of identity (passport etc) shall be requested from anyone who appear to be under the age of 18.

Schedule 1 conditions to be removed (cont')

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

The Prevention of Crime and Disorder

1. A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 31 days and the police to have access to recordings at any reasonable time.

Public Safety

1. The ratio of stewards to customers on the premises shall be no less than 1:75.

Schedule 2 additional conditions

The Protection of Children from Harm

1. Proof of identity (passport etc) shall be requested from anyone who appears to be under the age of 18.
2. No persons under the age of 18 shall be employed in connection with the sale of and supply of alcohol.
3. All bar staff shall be suitably trained to prevent the sale of alcohol to under 18's.

Under 18 events may take place to which the following conditions shall apply;

1. These events shall finish no later than 23.00 hours, after which there will be a 30 minute period before reopening to over 18s.
2. The police shall be notified in writing or email at least 14 days prior to the event.
3. SIA door stewards must be employed throughout the event, which shall include at least 1 female steward. All stewards shall have undergone a criminal records bureau check.
4. All alcohol shall be locked and or obscured from view.
5. All Gaming machines with prizes and cigarette machines shall be unplugged and locked.
6. All promotional material relating to alcohol shall be removed.
7. Any person refusing to be searched shall be refused entry.
8. Metal detectors shall be used random on entry.
9. The event shall be promoted to ages of 14 years and above.
10. Foreign student events shall be restricted to foreign students only.
11. Throughout under 18 events, the DPS or personal licence holder must be present.


The Promotion of public safety

1. Staff shall be trained in first aid
2. The ratio of stewards to customers on the premises shall be no less than 1:100.

Schedule 2 additional conditions (cont')

The Prevention of Crime and Disorder

- 1. A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 14 days and the police to have access to recordings at any reasonable time.**
- 2. Every Door Steward and member of Management must carry effective 2 way radios with earpieces. This equipment is kept in good working order and is used at all times when the premises is open to the public.**

LOCAL AUTHORITY	
	Licensing Section Torbay Council Roebuck House Abbey Road TORQUAY DEVON TQ2 5EJ
	<div style="border: 1px solid black; padding: 10px; display: inline-block;"> COPY </div>

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION	
Park Lane 1 Torwood Street, Torquay, Devon, TQ1 1ED.	
	Telephone 01803 2144

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<ul style="list-style-type: none"> - a performance of live music - any playing of recorded music - entertainment facilities for making music - entertainment facilities for dancing - provision of late night refreshment - the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES			
Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)			
	Monday	7:00pm	12:30am
	Tuesday	7:00pm	12:30am
	Wednesday	7:00pm	2:00am
	Thursday	7:00pm	2:00am
	Friday	7:00pm	2:00am
	Saturday	7:00pm	3:00am
	Sunday	7:00pm	1:30am
	Christmas Eve	7:00pm	4:00am
	New Year's Eve	7:00pm	4:00am
	Bank Holiday Sunday - 02.00 am finish		
	See below		
	British Summer Time - allow for additional hour when clocks move forward.		
F. Playing of recorded music (Indoors)			
	Monday	11:00am	12:30am
	Tuesday	11:00am	12:30am
	Wednesday	11:00am	2:00am
	Thursday	11:00am	2:00am
	Friday	11:00am	2:00am
	Saturday	11:00am	3:00am
	Sunday	11:00am	1:30am
	See below		



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 ...				
	Christmas Eve	11:00am	4:00am	
	New Year's Eve	11:00am	4:00am	
	Bank Holiday Sunday - 02.00 am finish			
	British Summer Time - allow for additional hour when clocks move forward.			
I. Provision of facilities for making music (Indoors)				
	Monday	7:00pm	12:30am	
	Tuesday	7:00pm	12:30am	
	Wednesday	7:00pm	2:00am	
	Thursday	7:00pm	2:00am	
	Friday	7:00pm	2:00am	
	Saturday	7:00pm	3:00am	
	Sunday	7:00pm	1:30am	See below
	Christmas Eve	7:00pm	4:00am	
	New Year's Eve	7:00pm	4:00am	
	Bank Holiday Sunday - 02.00 am finish			
	British Summer Time - allow for additional hour when clocks move forward.			
J. Provision of facilities for dancing (Indoors)				
	Monday	7:00pm	12:30am	
	Tuesday	7:00pm	12:30am	
	Wednesday	7:00pm	2:00am	
	Thursday	7:00pm	2:00am	
	Friday	7:00pm	2:00am	
	Saturday	7:00pm	3:00am	
	Sunday	7:00pm	1:30am	See below
	Christmas Eve	7:00pm	4:00am	
	New Year's Eve	7:00pm	4:00am	
	Bank Holiday Sunday - 02.00 am finish			
	British Summer Time - allow for additional hour when clocks move forward.			
L. Late night refreshment (Indoors)				
	Monday	11:00pm	11:30pm	
	Tuesday	11:00pm	11:30pm	
	Wednesday	11:00pm	1:30am	
	Thursday	11:00pm	1:30am	
	Friday	11:00pm	2:00am	
	Saturday	11:00pm	3:00am	
	Sunday	11:00pm	1:30am	
	Christmas Eve	11:00pm	3:00am	
	New Year's Eve	11:00pm	3:00am	
	Bank Holiday Sunday - 02.30am finish			
	British Summer Time - allow for additional hour when clocks move forward.			
M. The sale by retail of alcohol for consumption ON and OFF the premises				
	Monday	11:00am	Midnight	
	Tuesday	11:00am	Midnight	
	Wednesday	11:00am	2:00am	
	Thursday	11:00am	2:00am	



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

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...	Friday	11:00am	2:30am
	Saturday	11:00am	3:30am
	Sunday	11:00am	2:00am
	Christmas Eve	11:00am	3:30am
	New Year's Eve	11:00am	3:30am
	Bank Holiday Sunday - 03.00am finish.		

British Summer Time - allow for additional hour when clocks move forward.

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday	11:00am	12:30am
Tuesday	11:00am	12:30am
Wednesday	11:00am	2:30am
Thursday	11:00am	2:30am
Friday	11:00am	3:00am
Saturday	11:00am	4:00am
Sunday	11:00am	2:30am
Christmas Eve	11:00am	4:00am
New Year's Eve	11:00am	4:00am
Bank Holiday Sunday - 03.30am finish.		

British Summer Time - allow for additional hour when clocks move forward.

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

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

Part 2

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

Jam Leisure Ltd
info@clairesnightclub.co.uk

39-41 Torwood Street, Torquay, Devon, TQ1 1DZ.
Telephone 01803 292079

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

Jam Leisure Ltd

3177210

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

Louise SIMS

Flat 2, 42 St James Road, Torquay, Devon, TQ1 4AY.

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

Licence No. PA2402

Issued by Torbay



Stephen Cox

Steve Cox
Environmental Health Manager (Commercial)
21 September 2011



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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out or 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -

 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on -
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
- 4) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6) (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.
- 7) The responsible person shall ensure that -



ANNEXES continued

(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 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
- (ii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

MANDATORY CONDITION: DOOR SUPERVISION

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

ANNEXE 2**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE****Prevention of Crime and Disorder**

1. Clear notices shall be placed outside the premises indicating the opening and closing times as well as age restriction with no-one under the age of 18 being allowed to enter.
2. Warning notices shall also be placed at the entrance door indicating conditions of entry including regular identification checks, random searches and the use of metal detectors.
3. The Licensees shall carry on working with the local authority and support any seasonal and other advertising campaigns.
4. The number of persons admitted to the premises on any one occasion shall not exceed a safe occupancy. This is in agreement with the responsible authorities notably Devon Fire and Rescue and the Health and Safety team.
5. The Licensees shall be using a counting system operated by two doormen. Each doorman shall have a clicker, one for people arriving and one for people leaving. Once a safe occupancy level is reached no further persons shall be admitted until patrons leave or the time is reached when no further patrons are allowed to enter in accordance with the premises licence, whichever is the first.



ANNEXES continued

6. Persons leaving the premises shall be reminded to conduct themselves in an orderly manner and not cause annoyance to other members of the public or nearby residents.
7. A CCTV System must cover both inside and outside the premises in positions agreed with the Council and Police. All cameras are recorded to a high standard and kept for a minimum of 14 days and shall be made available to the police on demand.
8. All the door staff must be Security Industry Authority licensed.
9. Each accredited door steward when on duty must wear distinctive dress, are all over the age of 18 and are trained to vet customers and keep public order.
10. Every Door Steward and member of Management must carry effective 2 way radios with earpieces. This equipment is kept in good working order and is used at all times when the premises is open to the public.
11. A Night Net Radio must also be held at the Head Door Steward at the entrance and all instances of crime and disorder shall be reported to the police.
12. There must be a zero tolerance with drugs and have a drugs policy in force on the premises, with the objective of securing, as far as reasonably practical, the safety of others attending the premises.
14. A secure drug deposit bag approved by Devon & Cornwall Police shall be located on the premises for the safe storage of any drugs found or seized.
15. There must be provision of toughened safety glasses and plastic bottles. All glasses are stamped in accordance with Weights and Measures Legislation. No drinks, whether in glasses or bottles must be removed from the premises.
16. All the staff must be fully trained and at least one competent manager shall be on the premises whilst open to the public. All bar staff will be suitably trained to prevent the sale of alcohol to under 18's.
17. Adequate glass and bottle collection shall be undertaken throughout the premises.
18. Premises must join and maintain membership of the Torquay Night Time Economy Forum attending at least 2 meetings in each calendar year.
19. On every operational day when door supervision is required, then those SIA door supervisors employed in front of house duties must wear high visibility reflective jackets for the entirety of their duty.
20. There must be no entry or re-entry after 2am.

The Promotion of Public Safety

1. The fire safety measures with which the premises are provided shall be maintained in good working order, and their adequacy shall be determined on a regular basis, by the carrying out of a fire risk assessment as required by and in accordance with the Fire Precautions Regulations.
2. The premises shall undertake to maintain a safe occupancy level.
3. A log book shall be kept upon the premises in which shall be entered particulars of inspections made: those required to be made by Statute, and information compiled to comply with any public safety condition attached to the premises licence that required the recording of such information. The log book shall be kept available and produced for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
4. Adequate access must be provided for emergency vehicles.
5. Where crowd management measures are needed all reasonable steps shall be taken to ensure that such persons do not obstruct exits, yards, passageways, stairways and ramps and that portable barriers shall be provided to prevent crushing and keep queues in an orderly fashion.
6. Suitable and clearly identifiable areas for dancing must be set aside, and separate from the dance area suitable means of providing cool air/ventilation and adequate seating must be provided.
7. At least one qualified first aider shall be present on the premises during the whole time the premises are made available for regulated entertainment.



ANNEXES continued

8. The date on which any staff have obtained first aid qualifications or received refresher training shall be recorded and kept within a log book.
9. Facilities and equipment suitable for the number of patrons and the type of event undertaken shall be provided to enable first-aid treatment to be given promptly in the event of injury to patrons or staff.
10. All fire exits, gangways, escapes, extinguishers, fire points etc shall remain free of obstruction and will be tested and assessed on a regular basis. All exits are fitted with fixed automatic catches. Weekly fire alarm tests and fire certification as required by Fire Authority shall be carried out.
11. A Fire Risk Assessment shall be carried out monthly and Risk Assessments shall be carried out regularly.
12. Regular testing and certification of appliances and systems shall be carried out, including PAT and Electrical Testing.
13. All parts of the premises must be adequately illuminated from two independent sources and in the event of general lighting failure emergency lighting shall be immediately fully illuminated and the public shall be required to leave the premises forthwith.
14. In the event of evacuation caused by failure of general lighting, the public shall not be readmitted until the general lighting is fully restored.
15. Suitable and sufficient sanitary accommodation must be provided, clearly marked and in good order at all times.
16. The implementation of correct disposal of waste must be carried out on the premises at all times.
17. There must be provision of sufficient number of people on site to secure the safety of the premises at all times.
18. There must be use of toughened glasses and plastic bottles which reduces the risk of harm to the public.
20. Air management system within the premises shall be used during entertainment.
21. No explosive or highly inflammable material shall be brought into the premises.
22. No pyrotechnics shall be used on the premises.
23. Smoke machines shall be in a fixed position, protected against interference and manned by a competent operator at all times when in use. Non-toxic, non-flammable smoke shall be used and will be limited to areas where the public are admitted and not obscure exit signs.
24. Lasers must not be used on the premises without prior consultation with the Licensing Authority and compliance with HS(G) 95.

Prevention of Public Nuisance

1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
2. The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the Premises not accessible to the public.
3. Two noise limitation devices shall be installed to control both areas which have amplification equipment fitted. These devices shall be regularly maintained.
4. There shall be no use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas.
5. The placing of refuse such as bottles into skips outside the premises shall take place at times that will prevent disturbance to nearby properties and the movement of bins and rubbish outside the premises shall be kept to a minimum after 11pm.
6. Quieter/Mellower music shall be played towards the end of the evening to encourage calmness and an announcement shall be made prior to closing requesting patrons to leave the premises as quietly and quickly as possible.



ANNEXES continued

8. Patrons shall be asked not to stand around talking in the street outside the premises and asked to leave the vicinity quickly and quietly.
9. Door staff must be positioned at exits at closing times to ensure noise from patrons leaving is minimized.
10. Taxi operators shall be nominated for staff and customer use. The companies telephone numbers shall be advertised to customers.
11. The licensee shall ensure that staff leaving the premises after a late night shift will conduct themselves in a manner as not to disturb nearby residents.
12. Deliveries of kegs, bottles, food and other materials shall be carried out between the hours of 09.30am - 05.30pm weekdays.

The Protection of Children from Harm

1. Children below the age of 18 shall be excluded from the premises during licensing opening hours.
2. Proof of identity (passport etc) shall be requested from anyone who appear to be under the age of 18.

ANNEXE 3**CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY****The Prevention of Crime and Disorder**

1. A CCTV system of an evidential standard must be installed to the satisfaction of the police, and the system to be in operation at all times the premises are open to the public. All recordings from that system must be kept for a period of 31 days and the police to have access to recordings at any reasonable time.
2. On every occasion that the premises sells alcohol after midnight and then closes at 12.30am, SIA door staff shall be employed from 10.00pm until closing.
3. All drinks must be served in shatterproof glasses and no alcohol shall be served in glass bottles from which it is intended or likely that a person shall drink.
4. Premises must join and maintain membership of the Nitenet Radio Communications Scheme.

Public Safety

1. The ratio of stewards to customers on the premises shall be no less than 1:75.

The Prevention of Public Nuisance

1. Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 11pm. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:-
 - (i) Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
 - (ii) After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise.
 - (iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.
2. Doors and windows must be kept shut during entertainment to reduce noise breakout. A management scheme will be in place to ensure this situation remains.
3. Entrances must be provided with lobbies with automatic door-closers. The lobbies shall be in use throughout the time of entertainment.
4. A senior member of staff (manager) shall assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment to ensure levels of noise have not increased.



ANNEXES continued

5. Provision of mechanical ventilation and air conditioning system shall not allow noise breakout from the premises or cause a nuisance by its operation.
6. Regular maintenance shall be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

ANNEXE 4

PLANS

Copy attached to Licence.



ANNEXE 4

revisions	
rev	description
A.	13-07-03 AMUSE AMENDMENT
job PARK LANE P.H. CRNR. PARK LANE & TORWOOD ST. TORQUAY	
drawing AS PROPOSED	
drawing reference number 5219.03	revision A
scales 1:100	date DEC. 2001 drawn

COLLINE
RITCHIE
ARCHITECTS

22A VICTORIA PARADE
TORQUAY, DEVON. TQ1 2BB
TELEPHONE: (01803) 298431
FAX: (01803) 200956

EMERGENCY LIGHT EN. CUPBUII

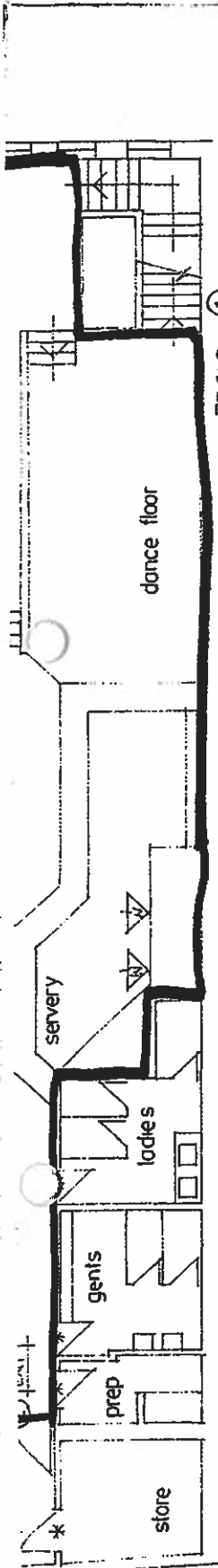
1 DOOR TO 2ND FLOOR RESIDENTIAL ACCOMMODATION TO BE FIXED SHUT WITH ACCESS PERMITTED FOR OCCASIONAL MAINTENANCE ONLY.

NOTES
EMERGENCY LIGHTING TO BE PROVIDED THROUGHOUT IN ACCORDANCE WITH BS 5226 PART 1 1988
FIRE EXIT SIGNS TO BE PROVIDED THROUGHOUT IN ACCORDANCE WITH BS 5499 PART 1 1990
TYPE M FIRE ALARM SYSTEM TO BE PROVIDED AND MAINTAINED TO BS 5839. PART 1 1988

AREA FOR MECHANICAL COMPRESSION

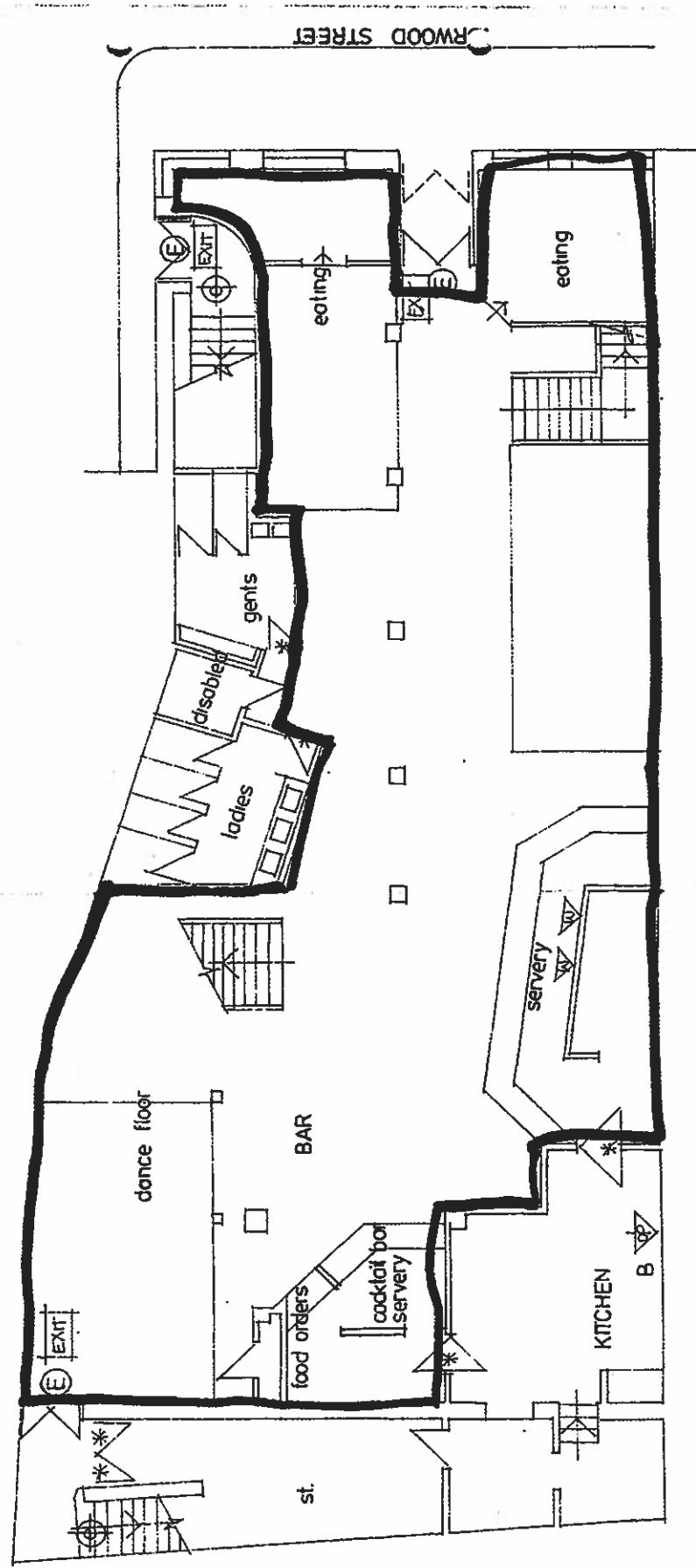


MEZZANINE FLOOR
(rear star only)



FD605
(at head of stair)

FIRST FLOOR



GROUND FLOOR

KEY



FIRE EXIT DOORS WITH EMERGENCY FITTINGS
SECURITY DOORS - FIXED OPEN WHILST BUILDING
IS IN USE



EMERGENCY EXIT SIGN - ILLUMINATED



1/2 HOUR FIRE RES. DOOR DOORS WITH SELF-CLOSERS



9 LITRE - WATER TYPE FIRE EXTS.

52 KG DRY POWDER FIRE EXTS.



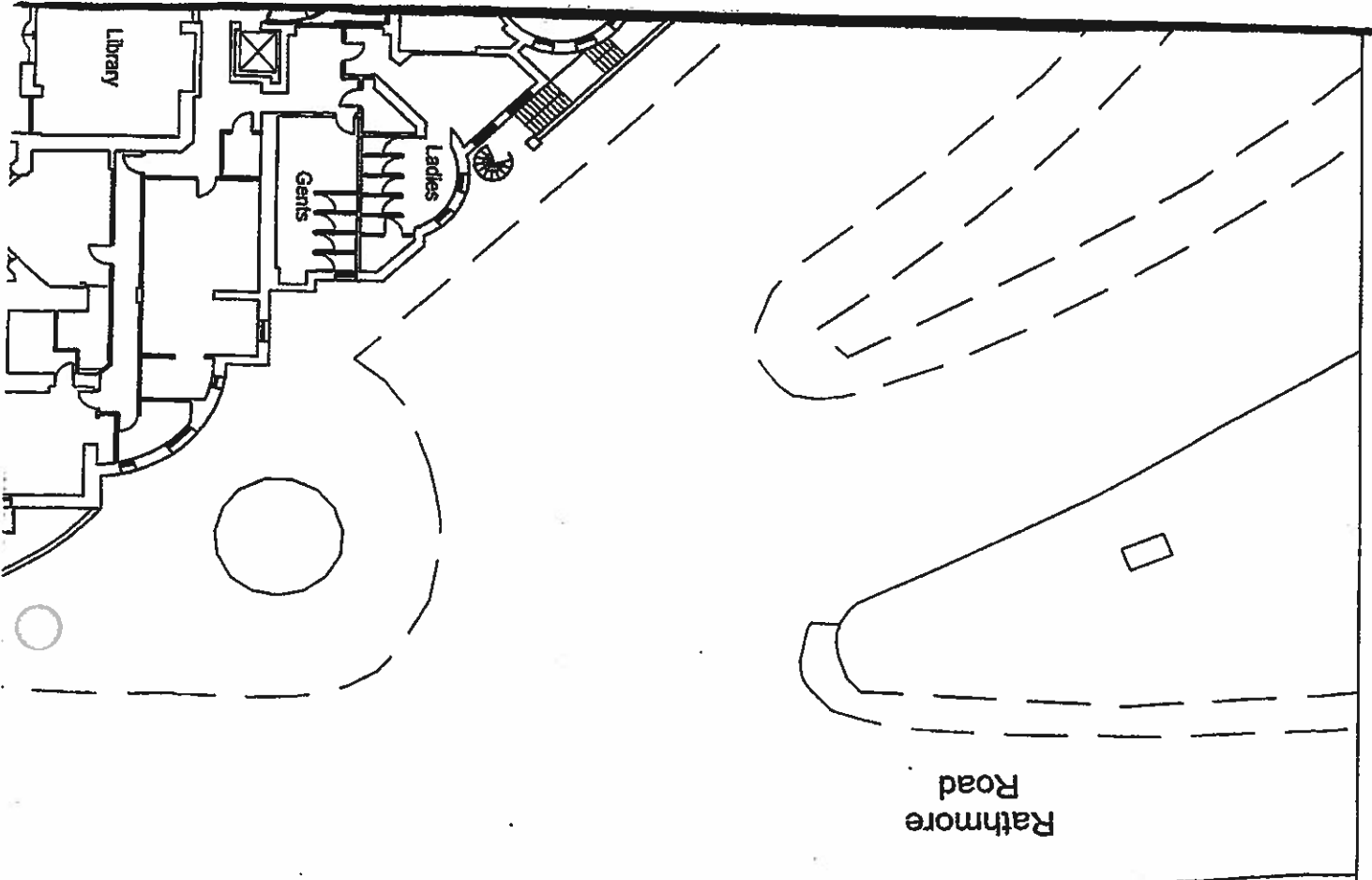
FIRE BLANKET



EMERGENCY LIGHT

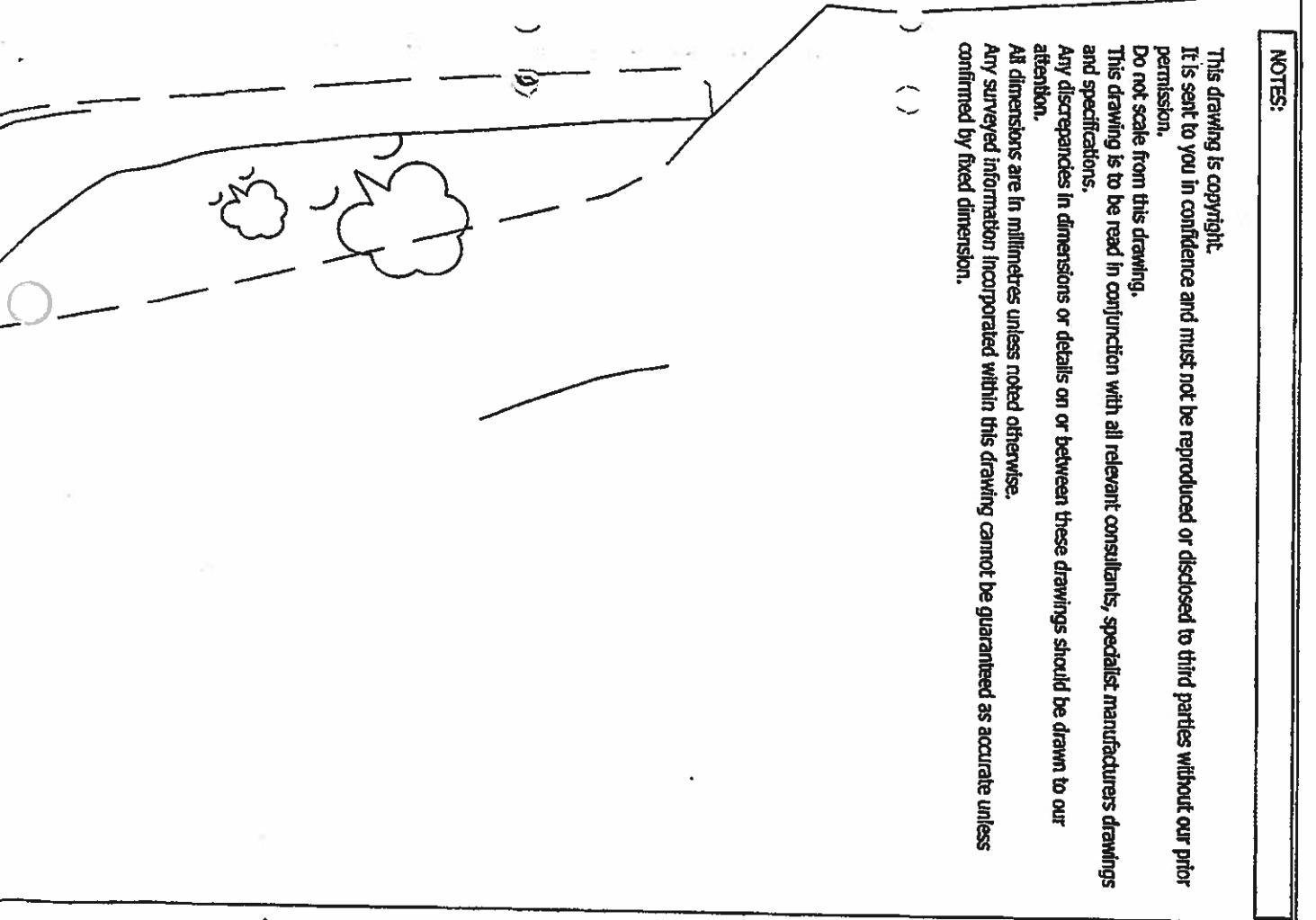
NOTES:

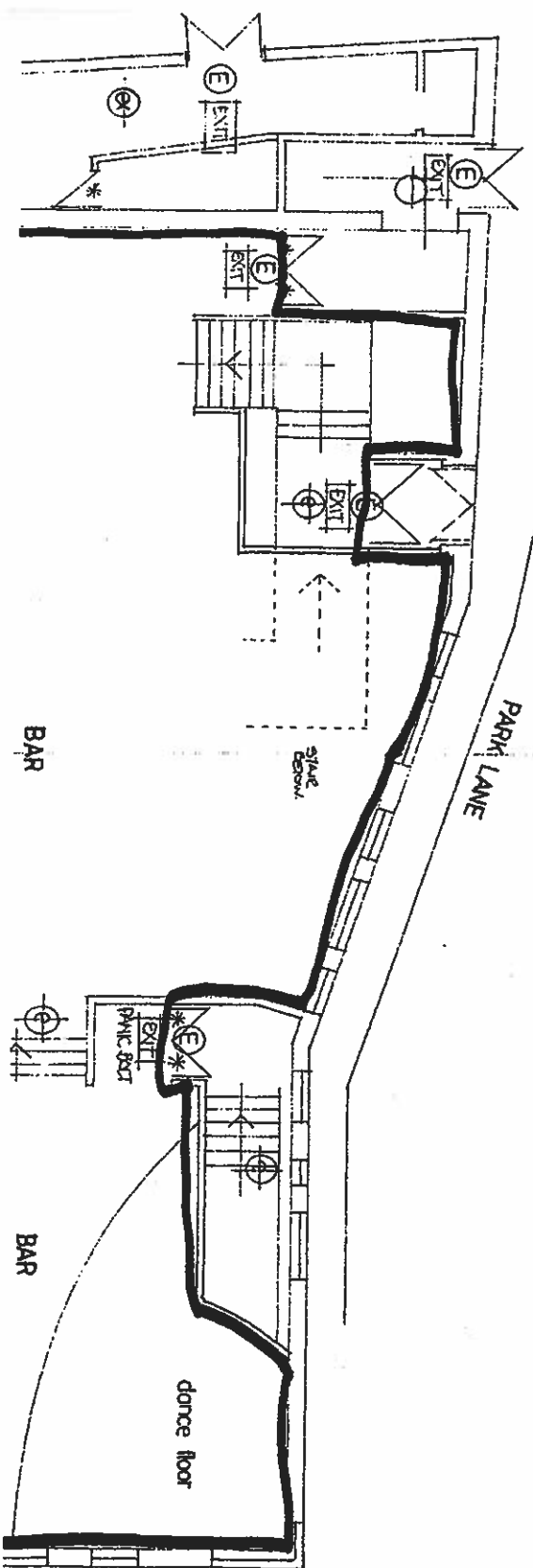
- 1 this drawing is subject to copyright
- 2 do not scale this drawing
- 3 all dimensions to be checked on site
- 4 if in doubt, please ask



NOTES:

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Do not scale from this drawing.
This drawing is to be read in conjunction with all relevant consultants, specialist manufacturers drawings and specifications.
Any discrepancies in dimensions or details on or between these drawings should be drawn to our attention.
All dimensions are in millimetres unless noted otherwise.
Any surveyed information incorporated within this drawing cannot be guaranteed as accurate unless confirmed by fixed dimension.





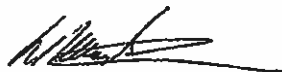
Memorandum

To: **From** : **Community Safety**
c.c **Contact** : **Mr Karl Martin**
c.c. **Ext** : **01803 208025**
c.c **My Ref** : **1ZV SRU No: 171615/KJM**
For the attention of: Licensing **Your** :
Steve Cox **Ref** :
Date : **22 February 2012**

Subject: Premises-- Licensing Act 2003
Premises Name & Address: Park Lane, 1 Torwood Street, Torquay,
Devon, TQ1 1ED

- 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

Please see attached report.



Mr Karl Martin
Licensing and Public Protection Officer

Overview

The view held by Environmental Protection is not one of outright objection to the variation application but instead one of support if a number of conditions and a scheme of works has been agreed between Environmental Protection and the applicant so that the licensing objective the Prevention of Public Nuisance is not undermined and ensuring the application is in line Torbay Council Licensing Policy.

To date a number of meetings have been undertaken with the applicant to reach an agreement on preventing further incidents of public nuisance. Some action has been taken by the premises and licensing conditions have been agreed. However complaints continue and the premise is already subject to a noise abatement notice.

I believe that the applicant has not fully addressed our concerns at the time of writing this report and I would respectfully ask the licensing committee to consider the facts and opinions of this report when deliberating a decision on this application.

Torbay Council Licensing policy states that applications to vary the existing licence will automatically be refused if the application will contribute to existing crime and disorder or public nuisance in this area. It is proven by the way of abatement notice and continuing complaints that this premises is contributing to public nuisance and any variation to the licence will undoubtedly have a negative impact on local residents.

However a reasonable and measured scheme of works and additional licensing conditions asked for by Environmental Protection are in place to balance the rights of local residents and the needs of the business.

If the applicant completes the scheme of works, Environmental Protection will have no reason to be concerned that this premises will cause public nuisance in the future. In this case I do not object to the application.

Brief Description of the club

Park Lane is a nightclub situated on the corner of Park Lane and Torward Street (see appendix 1). The club is owned and managed by the applicant Adrian Hobbs who has run the club for the last 8 years. The club is situated within the cumulative impact zone. Currently operated over 2 floors with a smoking area at the rear of the property.

The applicant requests to extend the permitted times for alcohol consumption 'on' the premises. The applicant requires the additional hours as part of plans to modernise the club and allow underage discos to take place earlier in the evenings. The modernisation is being planned in phases and is expected to take one year.

It should be mentioned when the works are completed I believe that the premises is unlikely to cause a nuisance as the works will greatly improve the noise attenuation properties of the building.

Historically and current noise nuisance complaints

The council has only received one noise complaint in the last 8 years prior to 18 months ago when the council received a complaint from a local resident. Since then another resident has lodge a complaint about noise breakout from the premises. Noise nuisance amounting to statutory nuisance was witnessed from within the home of a local resident and a noise abatement notice was served on the applicant in July 2010.

Despite the applicant undertaking some works at the premises, noise nuisance continues to disturb local residents on occasions. One of the complainants reported the noise breakout has not been a problem for many months, however recently was disturbed by noise breakout from Park Lane.

Work with the management of the club has largely resolved these issues but on occasions the noise breakout is significant to cause a problem to the complainants as mentioned above.

I believe there is inherent weakness in the noise attenuation properties of the building. Mr. Hobbs has been made aware of our views. Some work has been undertaken mainly the blanking off of a redundant ventilation vent identified as a major source of noise breakout prior to the submission of the variation application.

The buildings main noise attenuation weak spots are at the front of the building and to the side. On the Park Lane side there are a number of windows and one fire exit has been identified as a source of noise breakout.

Mr. Hobbs is in the early stages of refurbishment of the club. An outline of his proposals has been submitted with the variation applications. If the plans he has suggested are implemented the risk of this premises causing future noise nuisance could be greatly reduced.

A key consideration to consider in the application is the applicant wishing to be able to open the club earlier for regulated entertainment for the purpose of running underage discos. The belief is if the applicant has not managed to control noise breakout at this point in time, extending the times permitted for regulated entertainment will extend the time residents are exposed to noise nuisance adding to the negative impact this is already having on the lives and wellbeing.

Agreements reached/enacted (at time of writing)

Completed:-

- ✓ 'Boss' speakers removed from the front lobby.
- ✓ Agreement of additional conditions (except condition 4, negotiations continue), see appendix 2.

Outstanding:-

- Agreeing to build a temporary lobby to the main door.
- Sound boarding windows along park lane, although our views have been expressed to Mr. Hobbs this might not be enough on its own to control the noise breakout.
- Improving sound insulation properties of the fire exit on Park Lane.
- Setting noise limiters to an agreed level to prevent statutory nuisance in residents homes.
- Moving a bass bin from underneath the fire exit to its previous location.
- Time scale for refurbishment of the club.

It is felt it is important to agree, where possible, when the refurbishment work is likely to finish. As stated earlier I believe that when the refurbishment work is completed the premise is unlikely to contribute to noise nuisance in the area.

However, as this is not the case at this times I would urge the committee to consider the variation application is granted but deferred by the way of conditions until such times as the club refurbishment has been completed or the Mr. Hobbs can demonstrate the scheme of works being implemented will be effective at controlling noise nuisance.

Conclusion

In the main the club has operated successful without contributing to public nuisance. Yet in the last 18 months the club has contributed to public nuisance in the area resulting in undermining the licensing objective; the prevention of public nuisance.

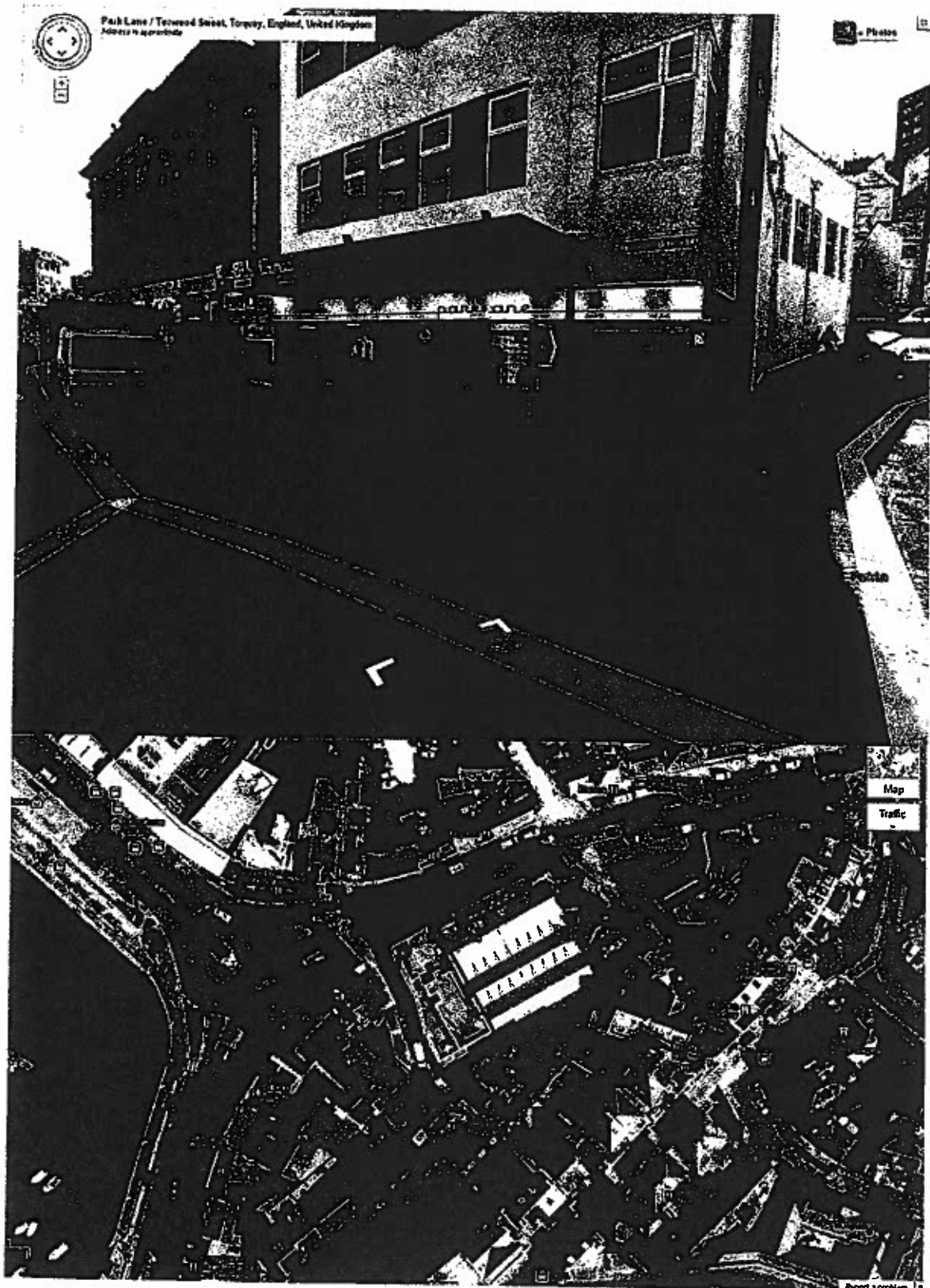
Recent meetings with the Mr. Hobbs has highlighted this may be due to moving of a bass bin and tweaking of the system that occurred around the time complaints first starting being received. This resulted in a noise abatement notice being served on the premises.

If the noise scheme of works is completed by the applicant and additional conditions complied with I so no reasonable reason to object to the variation. However, if not I do believe this variation application will add to the existing problem in this area. This view is reinforced by Torbay Council Licensing Policy that variation application should be automatically rejected if a premises in the cumulative impact zone cannot adequately demonstrate who they will manage their activities impact on the local environment.

Recommendations

- The application to be granted in full if the applicant agrees in full to the conditions and scheme of works outlined in this report.
- The application to be rejected if the scheme of works is not agreed between Environmental Protection and the applicant to preserve the licensing objectives and to comply with Torbay Council Licensing Policy.

Appendix 1 – Street view and aerial view of Park Lane



Red – Park Lane Nightclub
Green – Nearest residential properties

Appendix 2 – Suggested additional conditions

The Prevention of Public Nuisance

1. The variation to the existing premises licence shall not be permitted until such time that the levels of noise limiters are set and agreed between the premises licence holder or a nominated person by them and the Environmental Health Department so as not to unreasonably disturb nearby residents.
2. These levels shall be set and agreed by within 1 month of the application being granted.
3. The variation to the existing premises licence shall not be permitted until such time that the following works have been implemented to the agreement of the Environmental Health Department.
 - a. Sound boarding windows along Park Lane.
 - b. Improving sound insulation properties of the fire exit on Park Lane.
 - c. Moving a bass bin from underneath the fire exit to an agreed new location.
4. By the 31st May 2012 the Premises Licence holder shall build a temporary lobby to the specification agreed with Environmental Health Department.
5. Before any refurbishment is commenced an evaluation of any noise breakout must be undertaken and a report submitted to the Environmental Health Department. Agreement must be reached with the Environmental Health Department on the works to be undertaken to attenuate noise break out and those works must be implemented to their satisfaction.
6. The volume of any regulated entertainment will be under the control of the management at all times. Should monitoring indicate that the volume should be reduced, management shall take steps to ensure that levels are reduced to those agreed in condition 1.
7. There shall be no exterior sited speakers or speakers in doorways and lobbies.
8. No changes to the Public Address system shall be made without prior consultation with the local Environmental Health Department; this includes moving of speakers, addition or removal of any equipment and the use of guest acts/DJ's own equipment.
9. Patrons of the premises shall be reminded by door staff to leave in a quiet respectful manner and the door staff shall take all reasonable steps to ensure that their patrons leave in a quiet manner.
10. Door Staff will monitor the area outside their premises and take reasonable steps to ensure that patrons do not congregate outside the premises.
11. Announcements shall be made on the Public Address system prior to closing reminding patrons to leave in a quiet respectful manner.
12. Cooking, noxious or persistent smells from the premises will not cause a nuisance to nearby properties.

Agenda Item 6

Appendix 4

Dear Licensing,

Please accept this email as an objection to the above licence application being made for jam leisure ltd, park lane, 1 torwood street, torquay, devon, tq1 1ed..

The license in effect adds:

30 minutes on to Saturday night

30 minutes on to Friday night for alcohol/opening though an hour for some activities.

An hour for Sunday, Wed & Thursday nights.

And three hours Monday and Tuesday nights.

I am objecting on the following grounds:

Prevention of noise and public nuisance

Public nuisance the noise of leaving is just at a different later time, causing later disturbances when customers walk down torbay street, past queens quay for taxi's. - no provision for transport outside of the premise.

'Public nuisance' in terms of customers visiting takeaways beneath our bedroom window, who talk loudly, swear, argue and hang around.

'Noise' - the premises has many issues with noise breakout, with double glazed windows shut, black out blinds, shutters, black out curtain, thick fabric curtain, the base regularly goes through the fabric of the building (boom, boom).

I specifically refer to two current conditions, "noise or vibration shall not emanate from the premise such as to cause persons in the neighbourhood to be unreasonably disturbed" - noise

"Patrons shall be asked not to stand around talking in the street outside the premises and asked to leave quietly and quickly as possible" - the street noise is horrendous, with road blocked off at leaving time.

Etc, etc

Whilst I believe some measures are proposed to rectify this, I do not believe the premises, given a years worth of complaints, abatement notice, more complaints takes its current operating license seriously.

Consideration should also be given to the continued development of queens quay which will take the number of residents in excess of 50 next to the venue.

The venue is in the saturation area where the CIP comes into effect, no special argument for an exception on the CIP on this application has been provided or should be considered. The CIP recognises there is a problem in the area with the number of venues.

The venue is in the middle of a residential area, and currently affects many premises, resulting in broken sleep patterns and stress.

These venues are driving me out of my home, due to the music, and noisy patrons.

THE RAY COUNTY

MAR 2012



Dear Sir/Madam 29/3/2012

I would like to make an objection to the Application PARK LANE NIGHT CLUB has applied for regarding the extension to opening hours. At the present time I am having problems with excessive loud music till early hours and persons leaving Park Lane when it closes using Park Lane as a place to urinate and Defecate and also using it for Drug use, and I feel this goes against the Park Lane by staying open till the early hours of the morning, ^{it} breaches the Public Order

act also I have also been told
they intend to hold student nights
I would like to point out when
the since closed Rudd Bar
carried out student nights
we had a large increase of
Both English and Foreign student
using Park Lane to consume
Alcohol ingesting 97% of Both
~~the~~ nationalities were under age
and the language and behaviour
was so bad one was afraid to
ask them to leave on due to
verbal threats. When Rudd Bar
closed its doors the under age
drinking ~~by~~ problem went away
So I now feel if Park Lane is
granted an extension all these
problems will start up again.
Name of Park Lane door staff

③

or management Better to Patal
the close proximity of these buildings
to help combat these forementioned
problems and once again I strongly
object to its extension as it
will have an adverse effect
on the style I wish to live ^{live} as it
is hard enough at the moment
to go to bed say at 11pm and
be woken up by the music and
the chatter male and female
shouting and screaming till 3-20pm
and it is ~~adverse~~ ^{plain} were they have
come from and use your front
door and steps as a public use.

