

**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.

We, Marston's PLC, apply for a Premises Licence under Section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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	
Yacht 18-19 Victoria Parade	
Post town Torquay	Post code TQ1 3BB

Telephone number of premises (if any)

01803 201 212

Non-domestic rateable value of premises

£41,000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as:

a) An individual or individuals*

Please tick ✓

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)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Marston's PLC.
Address Marston's House Wolverhampton WV1 4JT
Registered number (where applicable) 31461
Description of applicant (for example, partnership, company, unincorporated association etc.) Public Limited Company
Telephone number (if any) 01902 711300
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

3	1	0	3	2	0	1	1
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If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

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

N/A

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

This is a premises which previously had the benefit of a Premises Licence. The licence lapsed as a result of insolvency of the Premises Licence Holder and not by virtue of a Review.

This application seeks to licence the premises on similar terms to that previously granted, which have been discussed with the Police and Environmental Health Officer. Detailed consultation has been undertaken with the Police as to the hours of operation and conditions relating to the prevention of crime and disorder. The layout is as per drawing number M100, dated July 2005 (attached) and the licensed areas are edged in red.

The proposed operator of the premises, should the licence be granted, will be Mr G. Holmes, Mrs S. Picton and Mr J. Radmore. The premises is to be leased to them and they will appoint a DPS. On the execution of the lease and grant of the licence the aforementioned persons have formed a separate agreement with Devon & Cornwall Police to surrender the Premises Licence for their current unit "Trents", situated at 8 Torwood Street, Torquay.

The premises to which this application relates has the benefit of a ground floor and first floor facility, with a small external area to the front of the first floor.

The premises applied for the following licensing hours for on and off sales: -

- Sunday to Thursday 08:00hrs to 01:00hrs
- Friday and Saturday 08:00hrs to 03:00hrs

The application also seeks authorisation under the Licensing Act 2003 for the following activities: -

1. Regulated entertainment, as follows: -

a) Recorded music, amplified voice, compares for functions and quizzes, exhibitions of films, exhibitions of plays, provisions and facilities for the making of music and dancing.

- Sunday to Thursday 08:00hrs to 01:30hrs
- Friday and Saturday 08:00hrs to 03:30hrs

b) Live music

- Monday to Saturday 08:00hrs to 01:00hrs
- Sunday 08:00hrs to 00:00hrs (midnight)

2. Permit sale of alcohol and regulated entertainment (save for live music) the following morning on Friday, Saturday, Sunday and Monday at Bank Holiday weekends and Valentines Day and Halloween, Christmas Eve and Boxing Day until 03:00hrs. New Years Eve to operate from 10:00hrs on the 31st December until 01:30hrs on the 2nd January, thereby providing extended hours. To permit an additional hour for sale of alcohol and regulated entertainment on the commencement of British summertime to replace the hour lost.

3. To permit the provision of late night refreshment after 23:00hrs to 12midnight Mondays to Sundays.

4. Application is made to permit indoor sporting events.

5. The first floor external area is to be authorised for retail sale of alcohol only.

6. The premises is to close 30 minutes after the terminal hour for alcohol.

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

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

Please tick ✓

yes

Provision of regulated entertainment

- 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 for:

- 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)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	08:00	01:30	Please give further details here (please read guidance note 3) No films will be provided to close seated audiences.	Both	
Tue	08:00	01:30			
Wed	08:00	01:30	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	08:00	01:30			
Fri	08:00	03:30	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		
Sat	08:00	03:30			
Sun	08:00	01:30			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) Restricted to traditional pub games and party type events.
Day	Start	Finish	
Mon	08:00	01:30	State any seasonal variations for indoor sporting events (please read guidance note 4) N/A – save as below. Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	01:30	
Fri	08:00	03:30	
Sat	08:00	03:30	
Sun	08:00	01:30	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	
Day	Start	Finish	Indoors	
Mon			Outdoors	
Tue			Both	
Wed				
Thur				
Fri				
Sat				
Sun				

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 {Y} (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) Live music, both acoustic and amplified. State any seasonal variations for the performance of live music (please read guidance note 4) N/A – save as below. 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) When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		
Mon	08:00	01:00			
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00			
Fri	08:00	01:00			
Sat	08:00	01:00			
Sun	08:00	00:00			

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 {Y} (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) Recorded music, including juke box with or without DJ. State any seasonal variations for playing recorded music (please read guidance note 4) N/A – save as below. Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		
Mon	08:00	01:30			
Tue	08:00	01:30			
Wed	08:00	01:30			
Thur	08:00	01:30			
Fri	08:00	03:30			
Sat	08:00	03:30			
Sun	08:00	01:30			

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 {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	08:00	01:30			
Tue	08:00	01:30	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	08:00	01:30			
Thur	08:00	01:30	N/A – save as below.		
Fri	08:00	03:30			
Sat	08:00	03:30	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	08:00	01:30			
			When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		

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 {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of 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)		
Sat					
Sun					

I

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		
			Normal facilities for the making of music.		
			Will the facilities for making music be indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	08:00	01:30			
Tue	08:00	01:30			
Wed	08:00	01:30			
Thur	08:00	01:30			
Fri	08:00	03:30			
Sat	08:00	03:30			
Sun	08:00	01:30			
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
			N/A – save as below.		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
			When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		

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 {Y} (see guidance note 2).		
			Indoors	✓	
			Outdoors		
			Both		
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing		
Mon	08:00	01:30			
Tue	08:00	01:30			
Wed	08:00	01:30			
Thur	08:00	01:30			
Fri	08:00	03:30			
Sat	08:00	03:30			
Sun	08:00	01:30			
			A suitable hard surface dance area will be provided for internal use.		
			Please give further details here (please read guidance note 3)		
			State any seasonal variations for providing dancing facilities (please read guidance note 4)		
			N/A – save as below.		
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
			When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		

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 {Y} (please read guidance note 2).	Indoor
				Outdoor
Mon				Both
Tue			Please give further details here (please read guidance note 3)	
Wed				
Thur			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				
Sat			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)	
Sun				

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 {Y} (please read guidance note 2).	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	00:00		Both	<input type="checkbox"/>
Tue	23:00	00:00	Please give further details here (please read guidance note 3)		
Wed	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	00:00	N/A – save as below.		
Fri	23:00	00:00	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)		
Sat	23:00	00:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).		
Sun	23:00	00:00			

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see Box M above.
Day	Start	Finish	
Mon	08:00	01:30	
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	01:30	
Fri	08:00	03:30	
Sat	08:00	03:30	
Sun	08:00	01:30	
			Non standard timings. Where you intend to use 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)
			When hours for sale of alcohol are extended hereunder these hours are also extended (see Box M below).

P

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Application is made to re-licence this premises. It is intended that the premises shall operate during the day and into the early evening, focusing upon food sales, with regulated entertainment being undertaken predominantly in the evening.

1. The premises shall join and maintain membership of Torquay Night-time Economy Forum and the DPS or member of the Management Team shall attend at least 2 meetings per calendar year.
2. The premises shall join and maintain membership of Nightnet Radio Communications Scheme.
3. As the premises is adjacent to "no drinking zone" specified by the Council, the licensee shall take steps in the form of advertising to their patrons on exit that they are entering a "no drinking zone" and no open drinking vessels are to be taken beyond such points.

b) The prevention of crime and disorder

Clients have undertaken a risk assessment in conjunction with the operation of this licence, taking into account conditions previously imposed on the premises. The following conditions are offered: -

1. A CCTV system to the satisfaction of the Police must be in operation at all times the premises are open to the public. All recordings must be kept for a minimum of 14 days, during which time the Police shall have access at any reasonable time.
2. On Fridays, Saturdays, Sundays preceding a Bank Holiday and Bank Holiday Mondays when the premises sells alcohol after midnight and remains open after 00:30hrs, SIA qualified door stewards shall be employed from 22:00hrs until closing, at a ratio of 1 per 100 customers.
3. On Sundays, Mondays, Tuesdays, Wednesdays and Thursdays the DPS is to undertake a risk assessment as to the need of SIA, if the premises sells alcohol after 12midnight and remains open after 00:30hrs. The DPS should consider the nature of the event, the number of persons expected to attend and recommendations of Devon & Cornwall Police. If SIA are deemed necessary then they shall be employed from 22:00hrs until closing and at a ratio of 1 per 100 customers.
4. On every operational day when door supervision is required, SIA door stewards employed in front of house duties shall wear high visibility jackets for the entirety of their duty.
5. Written records of all SIA door supervisors including full name and full SIA badge number shall be kept on

the premises for at least 12 months and be available for inspection at any reasonable time by a member of the Responsible Authorities.

6. All drinks must be served in toughened or strengthened polycarbonate or plastic glasses.
7. On days when the premises sell alcohol after midnight and remain open after 00:30hrs, no drinks shall be served after 22:00hrs in glass bottles from which it is intended or likely that a person shall drink.
8. There shall be no entry or re-entry to the premises after 02:00hrs when alcohol is served until 03:00hrs.
9. There shall be a cooling down period of 30 minutes after last sales of alcohol when music will be turned down.
10. Food shall be available from opening time until 24:00hrs.
11. All drinks promotions shall be managed in a responsible manner.
12. On all days the premises remain open until 03:30hrs, from 22:00hrs onwards the DPS or a Personal Licence Holder shall be on duty at the premises.

c) Public safety

A risk assessment has been undertaken with regard to public safety, taking into account the conditions previously imposed upon the premises, the following conditions are offered: -

1. The Premises Licence Holder will undertake a regular fire risk assessment.
2. An accident / incident book will be maintained at the premises and be available for inspection by Responsible Authorities, such record to be retained for 12 months.

d) The prevention of public nuisance

A risk assessment had been undertaken with regard to the premises and the conditions previously imposed upon the licence. The following conditions are offered: -

1. Noise or vibration will not emanate from the premises, such as to cause residents in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises, e.g. dwelling with windows open for normal ventilation, especially after 23:00hrs. The assessment point will be the boundary of the nearest residential property on each side of the licensed premises. The criteria of that will be applied are: -
 - i) Before 23:00hrs – Noise emanating from the premises will not be clearly distinguishable above other noise.
 - ii) After 23:00hrs – Noise emanating from the premises will not be distinguishable above background levels of noise.
 - iii) The Local Authority will reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties), to make further assessments from within the residential property.
2. 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. No external speakers shall be operated.
4. All windows and doors shall be closed during periods of regulated entertainment after 22:00hrs.
5. Entrances must be provided with lobbies, with automatic door closes. Access is to be restricted to via the lobbies when regulated entertainment takes place after 22:00hrs.
6. Staff shall regularly check levels in the surrounding outside area, in particular during live music performances.
7. Prominent, clear and legible notices will be displayed at all exits requesting the public to respect the needs of local residents and leave the premises and area quietly and in an orderly manner.
8. First floor external area to be used for smoking purposes only after 02:00hrs.
9. Bottle skips shall be emptied during daytime only. Delivery and handling of bottles and beer kegs shall not take place in the later evening at night or during the early morning.

10. Effective ventilation shall be provided in the kitchen area where food is being prepared and cooked. Staff should monitor for persistent or offensive smells.

11. Any person employed at the premises in the sale and supply of alcohol shall attend and successfully complete BIIAB Level 1 Award in Responsible Alcohol Retailing within 2 months of commencing employment.

12. A record of all staff training, including copies of all relevant BIIAB Certificates shall be kept on the premises and be available for inspection at any reasonable time by a member of the Responsible Authorities. Such record to be kept for at least 12 months.

e) The protection of children from harm

A risk assessment has been undertaken with regard to protection of children from harm and taking into account the conditions previously imposed upon the premises. The following conditions are offered: -

1. Young persons who appear to be under the age of 21 shall be asked for identification before they are served alcoholic drinks.

2. Children shall not be allowed on the premises after 22:00hrs, unless attending a private function.