



FORM J

LICENSING ACT 2003

APPLICATION FOR THE REVIEW 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

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

Email: licensing@torbay.gov.uk

**Application for the review of a premises licence
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 Tom West

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Molly's, North Quay, Paignton, TQ4 6DU

Post town: Paignton

Post code (if known) TQ4 6DU

Name of premises licence holder or club holding club premises certificate (if known)

Bob & Barney's Limited

Number of premises licence or club premises certificate (if known)

PL1194

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority
(please read guidance note 1, and complete [A] or [B] below)

☐

2) a responsible authority (please complete [C] below)

☒

3) a member of the club to which this application relates
(please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☐

Mrs ☐

Miss ☐

Ms ☐

Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

☐

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Tom West Environmental health Torbay Council Community Safety Town Hall, Torquay TQ1 3DR
Telephone number (if any)
E-mail address (optional) Tom.west@torbay.gov.uk

This application to review relates to the following licensing objective(s)

- | | |
|---|-------------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <input type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

This application for review of the premises licence for Molly's is made on the grounds of public nuisance.

Molly's, North Quay, Paignton has been hosting regular live music events since the licence was transferred in April 2025. These events have been hosted as many as three or four nights of the week. They typically begin at around 6 or 6:30pm and last for around three or four hours, with an average finishing time of around 9 or 10pm at night, with occasional later finish times. Torbay Council has received four noise complaints from residents who live in the vicinity.

Officers from Torbay Council have assessed noise from this entertainment at various points in the vicinity as well as within two complainant's properties on two separate occasions. The premises licence holder and DPS for the licence has been advised of these issues, however, the nuisance has continued. In response to one E-mail, the licence holder advised they would reduce the volume of entertainment and continue to monitor; however, this has not alleviated the issue.

The venue is located in the corner of Paignton Harbour, and the general vicinity could be described as a 'mixed' area, comprising of both commercial and residential properties. The venue itself offers very little in the way of acoustic absorption and is unsuitable for live and recorded music because of this. In essence, the structure may be characterised as an outdoor venue due to the absence of a permanent roof.

One complainant said that they often leave their home when Molly's have entertainment just to escape the noise, and another advised that they would not be able to read a book or watch the television if they wanted to because the noise was so loud.

Please provide as much information as possible to support the application (please read guidance note 3)

25.04.2025 – Licence transferred to Bob & Barney's Limited (Mr Lee Tyrrell is the director of the company and person with significant control). Mr Lee Tyrrell is also specified as DPS.

21.08.2025 – Noise complaint received by a resident who lives near to Molly's. Complainant advised that the music was so loud, they could not hear their own television. E-mail response sent on 22.08.2025 requesting further information and submission of evidence and noise diary sheets. No response received. Investigation closed.

19.11.2025 – Enquiry received by resident who lives close to Molly's. Resident queried various aspects of the licence, owing to the volume of noise being played from entertainment at Molly's. Response E-mail generated requesting noise diary sheets and evidence demonstrating how the nuisance impacts them.

02.12.2025 – Further noise complaint. Complainant raised concerns over modification to premises and noise levels. Officer from Torbay Council spoke with complainant over the phone to obtain further information and to agree time and date to assess the noise from their property.

05.12.2025 – A colleague, Ms Cottell (Licensing Officer) and I attended the third complainant's property to assess the noise. Assessments were also made at various points around the harbour and beyond. Molly's had a live music event in session, and this was clearly audible at various points around the area. The noise was clearly audible from Roundham Road car park, along with lyrics of various songs clearly distinguishable. The noise levels observed in the surrounding areas was such that it would, in my opinion, constitute a public nuisance. Noise assessments were also made within a complainant's property.

08.12.2025 – I spoke with Mr Tyrrell over the phone to advise him of the issue and to advise him of my intention to serve an abatement notice, deferred for seven days. I also advised him that if a further statutory nuisance is witnessed, I would have no other option but to serve an abatement notice. Mr Tyrrell informed me that he would reduce the volume of music and continue to monitor. A letter was sent via E-mail to Mr Tyrrell on 8th December 2025 to confirm our conversation, and to advise that formal action, including the possibility of a review of the premises licence may be taken if necessary. A hard copy was sent in the post to Molly's.

11.12.2025 – The venue hosted a further live entertainment event in the evening from around 7pm onward. I attended two of the complainant's properties to assess the noise again. I also assessed the noise at various points in the vicinity as I had on the 5th December. There appeared to be no improvement in the situation, and the volume seemed no lower than it did when I visited last time.

14.12.2025 – Footage submitted by a complainant for live music event at Molly's on 14.12.2025. Complainant advised that live music went on until 22:00 and customers stayed until 22:45. Advised that premises should close at 21:30 hrs as per licence. Footage appears to show activity beyond this time.

16.12.2025 – An abatement notice was served on Mr Tyrrell under the Environmental Protection Act 1990. This is being dealt with as part of a separate matter.

18.12.2025 – E-mail from another complainant advising that Molly's had hosted live music the night prior and it was very loud. Footage submitted to demonstrate this. Further complainant also submitted footage and described the music as 'very loud'.

19.12.2025 – Further E-mail sent to Mr Tyrrell to advise him that Torbay Council had received further complaints about noise from entertainment, and that the venue is not suitable for live and recorded music due to the nature of the building. Mr Tyrrell was also informed that Torbay Council were considering a review of the licence.

19.12.2025 – Video footage submitted by complainant advising of live music (ABBA tribute) on the evening of Friday 19.12.2025 – Complainant advised that there had been no change in noise levels. Footage appears to show no noticeable change in noise levels.

22.12.2025 – E-mail received from Mr Tyrrell expressing concern over my findings and advised that he and his entertainment manager would be happy to meet on site to discuss. Response E-mail generated to explain justification behind action taken, and to advise that I would be happy to meet on site, however, any upcoming events would need to be considered in light of the recent complaints.

23.12.2025 – E-mail sent to complainants to advise of action taken so far, and to request evidence of any noise nuisance should they experience it again.

28.12.2025 – E-mail and video footage sent from complainant showing noise from entertainment held at Molly's that same evening. Footage appears to demonstrate excessive noise from entertainment, emanating from Molly's, such that it would likely constitute nuisance.

Please tick ✓ yes

Have you made an application for review relating to the premises before

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If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

☒☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**



Signature:

.....

Date **30/12/2025**

.....

Capacity **Licensing Officer (Public Protection)**

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.