

## LICENSING SUB-COMMITTEE

Date: Friday 24 March 2017  
Time: 10.00 am  
Venue: Bad Homburg Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107 or email [howard.bassett@exeter.gov.uk](mailto:howard.bassett@exeter.gov.uk)

Entry to the Civic Centre can be gained through the Customer Services Centre, Paris Street.

*Membership -*  
Councillors Brimble, Holland and Sheldon

### Agenda

#### **Part I: Items suggested for discussion with the press and public present**

##### **1 Appointment of Chair**

To appoint a Chair for the meeting.

##### **2 Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

##### **3 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 EXCLUSION OF PRESS AND PUBLIC**

It is considered unlikely that the Committee would wish to exclude the press and public during consideration of the items on this agenda. If, however, the Committee were to exclude the press and public, a resolution in the following form should be passed:

“RECOMMENDED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s)

on the grounds that it (they) involve the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act.”

### **LICENSING ACT 2003**

**4 Application to VARY a premises licence - Newham Stores, 12-13 South Street, Exeter, EX1 1DZ**

To consider the report of the Environmental Health and Licensing Manager.

(Pages 3 -  
34)

Details of the application may be found at <http://www.exeter.gov.uk/licensing>  
Search the public register and the link is to the right of the page or may be viewed at the Licensing office between 09.00 and 16.00 Monday to Friday.

**Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265107.**

**REPORT TO:** LICENSING (SUB) COMMITTEE

**Date of Hearing:** 20 March 2017

**Report of:** Environmental Health and Licensing Manager

**Type of Application:** The application for the VARIATION of a premises Licence in respect of NEWHAM STORES T/A COSTCUTTER, 12-13 SOUTH STREET, EXETER, EX1 1DZ, under the relevant legislation.

**Legislation:** Licensing Act 2003

**Ward Application Refers to:** St Davids

**Applicant:** Ross Newham

**Premises Address:** 12-13 South Street, Exeter, EX1 1DZ

## **1. What is the report about?**

- 1.1 An application attached as Appendix A has been received from Ross Newham owner of Newham Stores (T/A Costcutter), for the VARIATION of a premises licence. The existing premises licence is attached as Appendix B.
- 1.2 The proposed variation is for an extension to the current operating hours and to increase the hours for the sale of alcohol for consumption OFF the premises only to 24 hours seven days a week. The current terminal hour in place is 02:00.
- 1.3 The premises falls within the Cumulative Impact Zone (CIZ) the area shown on the attached plan Appendix C.

## **2. Are there any representations?**

- 2.1 Representations have been received from local business' and other interested parties. Seven objections to the application have been received which refer to the Licensing Objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Devon and Cornwall Constabulary's representation refers to the Cumulative Impact Policy and the fact that the premises is within the Cumulative Impact Zone. Redacted versions of the representations are attached as Appendix D.

## **3. Report details:**

- 3.1 The application was advertised on the premises and in the local newspaper in accordance with the requirements of the Licensing Act 2003.

## **4. Legal and Policy Considerations:**

- 4.1 As the premises is located with the CIZ there is a rebuttable presumption that applications likely to add to the existing cumulative impact will normally be

refused or subject to certain limitations following relevant representations, unless the Applicant can demonstrate in the operating schedule to the application that there will be no negative cumulative on the relevant Licensing Objectives.

- 4.2 The operating schedule in the application setting out the steps the Applicant intends to take to promote the Licensing Objectives states 'As before'. In order to assist the Licensing Sub-Committee the operating schedule for previous applications submitted by the Applicant in respect of the premises are attached as Appendix E.
- 4.3 The Licensing Sub-Committee are required to have regard to;
  - 4.3.1 the representations (including supporting information) presented by all the parties;
  - 4.3.2 the Official Guidance issued under section 182 of the Licensing Act 2003 revised March 2015;
  - 4.3.3 the Licensing Authorities Statement of Licensing Policy.
- 4.4 In determining a licence application the Licensing Authority will consider each application on its merits.
- 4.5 The Licensing Sub-Committee, having regard to the representations, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.
  - to modify the conditions of the licence; and/or
  - to reject the whole or part of the application.

If the Licensing Sub-Committee considers that none of the above steps are appropriate for the promotion of the Licensing Objectives the Application shall be taken as granted as applied for.

## **5. Recommendations:**

- 5.1 The Licensing Sub-Committee are required to identify what steps, if any, need to be taken to determine the application.

## **Environmental Health and Licensing Manager**

### **Local Government (Access to Information) Act 1972 (as amended)**

**Background papers used in compiling this report:-**

None

Contact for enquires:  
Democratic Services (Committees)  
Room 2.3  
01392 265275

E190  
213117



**Exeter**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
licensing.team@exeter.gov.uk  
Telephone: 01392 265702

\* required information

Section 1 of 17	
You can save the form at any time and resume it later. You do not need to be logged in when you resume.	
System reference	<input type="text" value="Not Currently In Use"/> This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Newham"/> You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant?	Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.
<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Applicant Details</b>	
* First name	<input type="text" value="Ross"/>
* Family name	<input type="text" value="Newham"/>
* E-mail	<input type="text" value="newhamstores@hotmail.com"/>
Main telephone number	<input type="text" value="013 272703"/> Include country code.
Other telephone number	<input type="text" value="07917 768759"/>
<input type="checkbox"/> Indicate here if you would prefer not to be contacted by telephone	
Are you:	
<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.
<input type="radio"/> Applying as an individual	
<b>Applicant Business</b>	
Is your business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No Note: completing the Applicant Business section is optional in this form.
Registration number	<input type="text" value="5319053514"/>
Business name	<input type="text" value="Newham Stores T/A Costcutter"/> If your business is registered, use its registered name.
VAT number	<input type="text" value="202286345"/> Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Sole Trader"/>

*Continued from previous page...*

Your position in the business

Home country  The country where the headquarters of your business is located.

**Registered Address** Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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**Section 2 of 17**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

**Section 3 of 17**

**VARIATION**

Do you want the proposed variation to have effect as soon as possible?  Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To extend the licensable hours of off trade from the present 6am - 2am 7 days a week, to 24 hours 7 days a week.

**Section 4 of 17**

**PROVISION OF PLAYS**

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

**Section 5 of 17**

**PROVISION OF FILMS**

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

**Section 6 of 17**

**PROVISION OF INDOOR SPORTING EVENTS**

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Continued from previous page...	<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>Section 7 of 17</b>		
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>		
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 8 of 17</b>		
<b>PROVISION OF LIVE MUSIC</b>		
Will the schedule to provide live music be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 9 of 17</b>		
<b>PROVISION OF RECORDED MUSIC</b>		
Will the schedule to provide recorded music be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 10 of 17</b>		
<b>PROVISION OF PERFORMANCES OF DANCE</b>		
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 11 of 17</b>		
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>		
Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 12 of 17</b>		
<b>PROVISION OF LATE NIGHT REFRESHMENT</b>		
Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?		
<input type="radio"/> Yes <input checked="" type="radio"/> No		
<b>Section 13 of 17</b>		
<b>SUPPLY OF ALCOHOL</b>		
Will the schedule to supply alcohol be subject to change if this application to vary is successful?		
<input checked="" type="radio"/> Yes <input type="radio"/> No		



Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

--

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

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**Section 16 of 17**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

As before
-----------

b) The prevention of crime and disorder

As before
-----------

c) Public safety

As before
-----------

d) The prevention of public nuisance

As before
-----------

e) The protection of children from harm

As before
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**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300                      £100.00

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

After Police consultation and agreement, one condition to be added is as follows:-

"A night hatch system must be used between 0200 and 0600 daily with the front door remaining locked".

A condition to change is to have the following wording removed:-

"A dedicated SIA registered door supervisor will be employed at the premises at all times when the premises is open beyond 0000".

And replaced with this wording:-

"The employment of an SIA registered door supervisor when the premises are open after midnight shall be risk assessed by the DPS in consultation with the Police".

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Continued from previous page...

Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

#### DECLARATION

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name   
\* Capacity   
\* Date  /  /   
dd mm yyyy

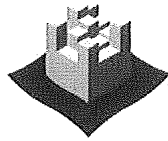
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/exeter/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**

OFFICE USE ONLY	
Applicant reference number	<input type="text" value="Newham"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>
<a href="#">&lt; Previous</a> <a href="#">1</a> <a href="#">2</a> <a href="#">3</a> <a href="#">4</a> <a href="#">5</a> <a href="#">6</a> <a href="#">7</a> <a href="#">8</a> <a href="#">9</a> <a href="#">10</a> <a href="#">11</a> <a href="#">12</a> <a href="#">13</a> <a href="#">14</a> <a href="#">15</a> <a href="#">16</a> <a href="#">17</a> <a href="#">Next &gt;</a>	



**Exeter**  
City Council

Licensing Authority  
Exeter City Council  
Civic Centre  
Paris Street  
Exeter  
EX1 1RQ

Tel: 01392 265702  
Fax: 01392 265844  
e-mail: licensing.team@exeter.gov.uk

Licensing Act 2003

**Premises Licence**

**EXE-P00483**

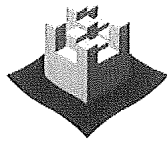
Part 1 - Premises Details

<b>POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION</b>			
<b>Newham Stores</b>		Telephone 01392 498538	
12 - 13 South Street, Exeter, Devon, EX1 1DZ.			
<b>WHERE THE LICENCE IS TIME LIMITED THE DATES</b>			
Not applicable			
<b>LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE</b>			
- the supply of alcohol			
<b>THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES</b>			
Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption OFF the premises only	Monday to Sunday	6:00am	2:00am
<b>THE OPENING HOURS OF THE PREMISES</b>			
	Description	Time From	Time To
	Monday to Sunday	6:00am	2:00am
<b>WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES</b>			
- J. Supply of alcohol for consumption OFF the premises only			

Part 2

<b>NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE</b>	
Ross W Newham rwnewham@hotmail.co.uk	50 Stratford Avenue, Whipton, Exeter, Devon, EX4 8ES. Telephone 01392 498538
<b>REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)</b>	
<b>NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL</b>	
Ross W NEWHAM	50 Stratford Avenue, Whipton, Exeter, Devon, EX4 8ES. Telephone 01392 498538





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City Council

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Fax: 01392 265844  
e-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

Licensing Act 2003

**Premises Licence**

**EXE-P00483**

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. TE1000840

Issued by Teignbridge

**ANNEXES**

**ANNEXE 1 - MANDATORY CONDITIONS**

There shall be no sale or supply of alcohol when there is no Designated Premises Supervisor (DPS) in respect of this premises licence or at a time when the said Premises Supervisor does not hold a personal licence or when his/her licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Any person used to carry out a security activity must be licensed by the Security Industry Authority.

The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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 either-

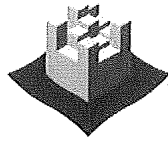
- (a) a holographic mark, or
- (b) an ultraviolet feature.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
  - (b) "permitted price" is the price found by applying the formula-  

$$P = D + (D \times V)$$
 where-
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or







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Licensing Act 2003

## Premises Licence

EXE-P00483

ANNEXES continued...

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

CCTV will be installed and maintained to the satisfaction of the Police. CCTV cameras will be placed inside and outside the premises.

Clear and legible signage indicating the permissible hours of trade for alcohol.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the area quietly.

All members of staff employed in the sale/supply of alcohol shall receive induction training for age restricted products and also training to recognise persons who are drunk and how to refuse service.

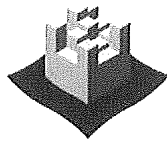
### ANNEXE 3 - CONDITIONS ATTACHED AFTER A HEARING

There shall be no irresponsible promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.

All spirits shall be located behind the counter.

There shall be no sale of single cans of beer, lager or cider of 6% ABV or above from the premises.





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Tel: 01392 265702  
Fax: 01392 265844  
e-mail: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

Licensing Act 2003

## Premises Licence

**EXE-P00483**

ANNEXES continued...

No deliveries to the premises shall be arranged between 23.00 and 07.00.

No waste or recyclable materials, including bottles shall be moved, removed or placed in outside areas between 23.00 and 07.00.

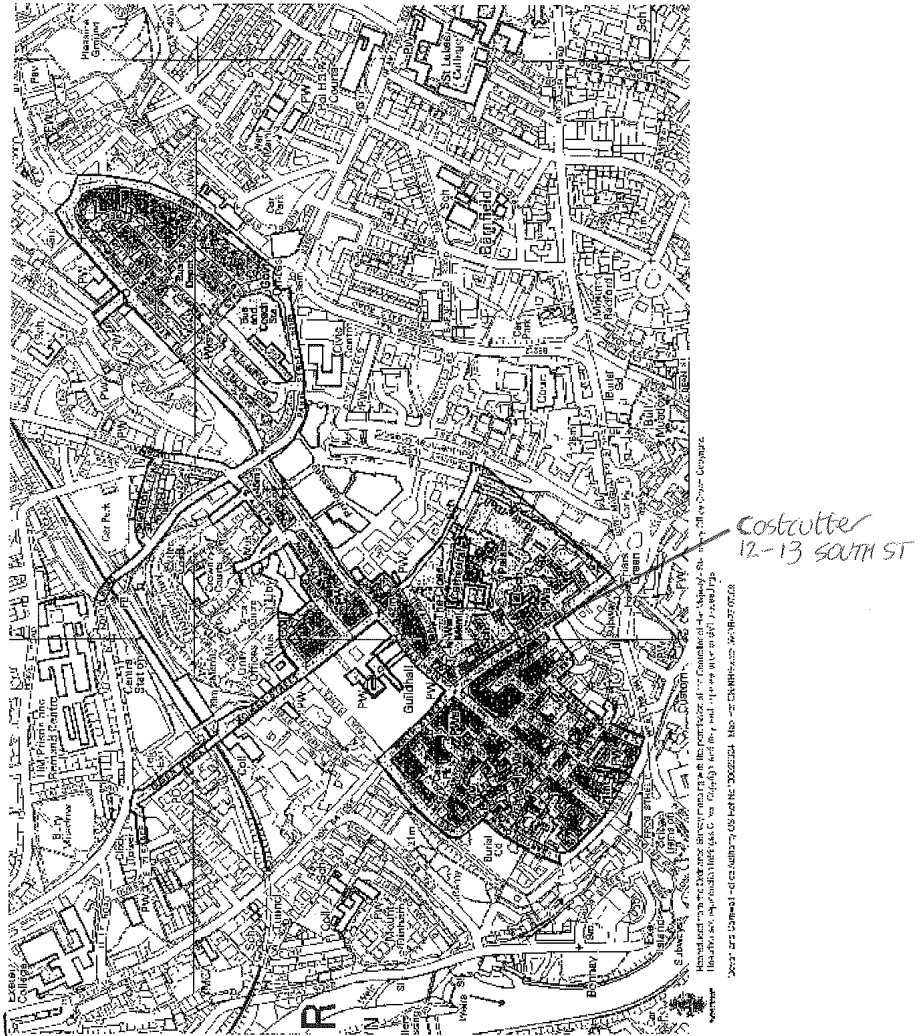
A dedicated SIA registered door supervisor will be employed at the premises at all times when the premises is open beyond 00.00.

### ANNEXE 4 - PLANS

Copy attached to Licence.



APPENDIX C: MAP SHOWING CUMULATIVE IMPACT ZONE



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Canon Chancellor  
Exeter Cathedral  
1 The Cloisters  
Exeter, EX1 1HS

chancellor@exeter-cathedral.org.uk  
07557 053567 (mobile)

- 3 MAR 2017

Caroline Moorhead  
Licensing Officer  
Exeter City Council  
Civic Centre, Paris Street, Exeter, EX1 1RQ  
Tel: 01392 265702

Dear Ms Moorhead,

I am writing on behalf of the **Dean and Chapter of EXETER CATHEDRAL** to express our dissatisfaction with regard to the application below:

**Ross Newham has applied to Exeter City Council Licensing Authority to vary a premises licence for Newham Stores, 12-13 South Street, Exeter, EX1 1DZ**

**The application is to open the store for the sale of alcohol:**

**Monday- Sunday: 24 Hours**

**A hatch system will be in use 02.00-06.00**

As part of our support and outreach to the homeless and vulnerable people of the city centre we believe that this extension will have a harmful impact and will create further problems with regard to antisocial behaviour and patterns of addiction and risk.

We therefore write to offer our strongest possible objection.

Yours Sincerely,





UT VOCE HA VITA

# EXETER CATHEDRAL SCHOOL

Nursery | Pre-Prep | Prep

*From the Headmaster:*

- 2 MAR 2017

1<sup>st</sup> March 2017

Licensing Section  
Exeter City Council  
Civic Centre  
Paris Street  
Exeter  
EX1 1RQ

Dear Sir or Madam

**Application to vary a premises licence  
Newham Stores  
12-13 South Street  
Exeter  
EX1 1DZ**

We would like to object to the above application to vary a premises licence.

Our primary concern is the potential for additional noise and for increased anti-social behaviour as a result of the extended opening hours for purchasing alcohol.

We run a boarding house (which overlooks Palace Gate) for pupils of our school, from age 7 to 13, who are on site in term time and at weekends, including over Christmas and Easter (we educate the choristers at Exeter Cathedral). We have a duty of care to our boarders to ensure that their pastoral and well-being needs are being met, and we have concerns that incidents of loud and anti-social behaviour at night could increase if this application is approved.

We thank you for your time in considering our objection.

Yours faithfully

## Staples, Lee

---

**From:** Moorhead, Caroline on behalf of Licensing Team  
**Sent:** 28 February 2017 10:12  
**To:** Staples, Lee  
**Subject:** FW: Newham Stores, South Street

Caroline Moorhead  
Licensing Officer  
Exeter City Council  
Civic Centre, Paris Street, Exeter, EX1 1RQ  
Tel: 01392 265702

**From:**  
**Sent:** 27 February 2017 15:19  
**To:** Licensing Team <licensing.team@exeter.gcsx.gov.uk>  
**Subject:** Newham Stores, South Street

I am writing to provide an objection to the application from Newham Stores, South Street, Exeter to extend their licence to sell alcohol between the hours of 02.00 and 06.00 for 7 days a week. I believe the extension of this licence will have a detrimental effect on the noise and activity levels of people in the area during that period and could assist in an unnecessary increase in access to alcohol to a number of vulnerable adults accommodated or drawn to the vicinity.

Project Manager  
St Petrock's (Exeter) Ltd  
10 Cathedral Yard  
Exeter  
EX1 2PD

Visit our [website](#) or connect with us on [Facebook](#) or [Twitter](#)



This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.)

In case of problems, please call your organisations ICT Service Desk on ext.5050

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

22<sup>nd</sup> February 2017

Dear Sir/Madam

**Application for a 24 hour licence for the sale of alcohol, by Costcutter, South Street, Exeter**

As the owner of 91,91A, and 91B, South Street, Exeter (RSPCA Shop and flats above.) I wish to make formal objection to the application made by Costcutter, for a twenty four hour licence to sell alcohol at their premises in South Street, Exeter. I do so on the following grounds:

1. The need for such a facility in this area is minimal.
2. The potential nuisance it would cause residents and other shops.

**Rationale:** There was formerly a Legal Highs premises nearby, which caused considerable problems for the shop and for the residents of the flats. Individuals urinating in the access passageway; Groups congregating in the passageway, with noise and litter a regular problem. Since the Legal High facility was closed, there has been a remarkable improvement in the quality of life for the those using the shop, and the tenants of the flats. Therefore I must request that the application for a twenty four hour license to sell alcohol in this area, close to the cathedral and residential accommodation, be refused.

Yours faithfully

The J.Penny Summers Trust – owner of 91;91A and 91B South Street, Exeter.  
Trustees: Michael Brabin QC; Ronald Summers; Anthony Summers; Michael Summers



## Staples, Lee

---

**From:** Moorhead, Caroline on behalf of Licensing Team  
**Sent:** 27 February 2017 08:31  
**To:** Staples, Lee  
**Subject:** FW: Register of complaint and displeasure

Caroline Moorhead  
Licensing Officer  
Exeter City Council  
Civic Centre, Paris Street, Exeter, EX1 1RQ  
Tel: 01392 265702

**From:**  
**Sent:** 24 February 2017 15:22  
**To:** Licensing Team <licensing.team@exeter.gcsx.gov.uk>  
**Subject:** Register of complaint and displeasure

To Whom it May Concern:

### **Response to Licencing request: Newham Stores.**

It has been highlighted to me that there has been an application from Newham Stores to sell alcohol between the hours of 2am and 6am, 7 days a week in South Street. The YMCA feel that allowing this would not be helpful in this area due to its proximity to many support services and outreach services. Store bought alcohol is far different matter than alcohol being available at Nightclubs or Bars which have additional factors that prevent the sale of alcohol becoming a serious issue to the client group that we and other support and homeless services work alongside.

We would therefore be very much against this proposal and hope that you would take our concerns seriously.

Many Thanks,

Deputy Chief Executive & Housing Manager

**T** 01392 410530

**E**

**W** [www.ymcaexeter.org.uk](http://www.ymcaexeter.org.uk)

**Twitter:** @YMCAExeter

YMCA Exeter

39/41 St David's Hill

Exeter EX4 4DA



## Staples, Lee

---

**From:** Moorhead, Caroline  
**Sent:** 23 February 2017 08:13  
**To:** CLLR Morse, Emma  
**Cc:** Staples, Lee; Lane, Phillippa  
**Subject:** RE: Full Variation for Newham Stores. Last day for reps 3 March 2017

Good morning Emma

Your objection has been formally noted. We will be in touch.

Many thanks, Caroline.

Caroline Moorhead  
Licensing Officer  
Exeter City Council  
Civic Centre, Paris Street, Exeter, EX1 1RQ  
Tel: 01392 265702

**From:** CLLR Morse, Emma  
**Sent:** 22 February 2017 16:38  
**To:** Moorhead, Caroline <Caroline.Moorhead@exeter.gov.uk>  
**Subject:** Re: Full Variation for Newham Stores. Last day for reps 3 March 2017

Caroline

I would like to object to this application.

From a homelessness and Street attachment Point of view I feel it would be inappropriate to encourage any more opportunities to 24 hour drink in this part of the city.

As an authority we have recently adopted a PSPO to reduce mainly drink related ASB and this would be in direct opposition to the work done on this and the above matters.

Regards

Emma

Cllr Emma Morse  
Councillor for Mincinglake Whipton  
Lead Member for Customer Access

On 3 Feb 2017, at 13:32, Moorhead, Caroline <[Caroline.Moorhead@exeter.gov.uk](mailto:Caroline.Moorhead@exeter.gov.uk)> wrote:

Dear all

Please see attached notice for a full variation.

Many thanks, Caroline.

**Licensing Act 2003**

**APPLICATION TO VARY A PREMISES LICENCE**

# Representation Form for Responsible Authorities

**Responsible Authority**

**Devon & Cornwall Constabulary**

<b>Full Name</b>	<b>John Bean</b>	<b>Job Title</b>	<b>Licensing Officer</b>
<b>Postal and email address</b>	<b>Police Station Heavitree Road Exeter EX1 2LR</b>		
<b>Tel No.</b>	<b>01392 451512</b>		

<b>Name of the premises you are Making a representation about.</b>	<b>Newham Stores T/A Costcutter</b>
<b>Address of the premises you Are making a representation About.</b>	<b>12-13 South Street Exeter EX1 1DZ</b>

<b>Which of the four Licensing Objectives does your representation Relate to?</b>	<b>Y/N</b>	<b>Please detail the evidence supporting your representation, or the reason for your representation. Please use separate sheets if necessary.</b>
<b>Prevention of Crime &amp; Disorder</b>	<b>Y</b>	<p>I am writing to lodge my objection to the submission for 24hr license to sell alcohol. I do this under the licencing objective to reduce crime and disorder.</p> <p>South Street is a hot spot for anti-social street drinking. I have attached the following logs which relate to South Street &amp; alcohol.</p> <p><u>Log</u>            750 14/2 – Drunk male verbally abusing 13yr old girls awaiting a bus            30 12/2 – Drunk male in a taxi refusing to leave            63 09/2 – Females arguing in the street, possibly drunk            287 04/2 – Group of street drinkers causing ASB            35 03/2 – Drunk male trying to get into his vehicle            554 02/2 – 7/8 street attached gathered around drinking</p>

This form must be returned within the statutory Period.  
Please check with the Licensing Section on 01392 265434

## Representation Form for Responsible Authorities

		I have only reviewed February for which we are only half way through but I think you can see there is a repeat pattern of alcohol related calls for service for the police. Having the availability of alcohol 24hrs a day will only increase the likelihood of disorder and crime. For this reason I strongly object to the extended licence.
<b>Public Safety</b>		
<b>Prevention of Public Nuisance</b>	Y	<b>See above</b>
<b>Protection of Children from Harm</b>		
<p><b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary</b></p>		<p><b>None as the premises lie within the Cumulative Impact Zone for Exeter and note should be taken of Section 11.1 to 11.3 of the Councils Statement of Licensing Policy</b></p> <p><b>SATURATION AND CUMULATIVE IMPACT</b>  11.1 In determining an application, the authority will take into account, in the interests of the prevention of crime and disorder, public safety and the avoidance of nuisance, any representations relating to the negative cumulative impact that the existence of a saturation of premises in one area may have. A saturation of licensed premises can attract customers to the area that has an impact on the surrounding area beyond the control of individual licence holders. The Licensing Authority will take this into account whenever it receives representations about cumulative impact on the licensing objectives if warranted within the specific area identified in the Cumulative Impact area as attached at Appendix F (which includes all those premises within the boundary drawn and abutting the boundary).</p>

This form must be returned within the statutory Period.  
Please check with the Licensing Section on 01392 265434

## Representation Form for Responsible Authorities

	<p>11.2 The cumulative impact area has been in place following police representations in 2006. The policy (and appropriate area) has not been considered in the intervening period and so will be reviewed as to whether it is appropriate to retain it as originally approved or modified in some way depending on the evidence provided in response to this consultation. In addition, the effect of concentrations of late night refreshment premises will be examined.</p> <p>11.3 For the sake of clarity cumulative impact currently only applies to selling alcohol but if modified, may also apply to food outlets and take away premises as the congregation of people at these premises adds significantly to the potential for public nuisance and crime and disorder.</p>
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

N.B If you do make a representation you will be expected to attend the Licensing Sub Committee meeting and any subsequent appeal proceeding.

Signed.. **Sergeant 15448 Colin Harper** | Neighbourhood Team Leader | West Sector & City Centre | Exeter Neighbourhood Team.

Mobile: 07736086007 | Office: 01392 451518 | Internal: 21518 | Email:

[15448@devonandcornwall.pnn.police.uk](mailto:15448@devonandcornwall.pnn.police.uk)

Devon and Cornwall Police | Heavitree Road Police Station, Exeter, EX1 2LR.

(On behalf of the Chief Officer of Police)

Dated 23<sup>rd</sup> February 2017

Return this form along with any additional sheets/supporting information to:  
Licensing Section, Exeter City Council, Civic Centre, Paris Street, Exeter, Devon,  
EX1 1RQ. Or email to [licensing@exeter.gov.uk](mailto:licensing@exeter.gov.uk)





Details entered: 24 August 2015 at 11:50 by William Nowel  
Date requested: Reason:  
Date received: 24/08/2015  
Appointment date: Appointment time:  
Result: Result Date:  
Name: Number:  
Date commences: Date expires:  
Notes:

Continued from previous page...

d) The prevention of public nuisance

\* A prominent, clear and legible notice will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.  
\* Deliveries necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.  
\* The Licensee will ensure that staff who arrive early in the morning or depart late at night when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.  
\* Customers will be asked not to stand around talking in the street outside the premises and asked to leave the vicinity quickly and quietly.  
\* The movement of bins and rubbish outside the premises will be kept to a minimum after 11pm. This will help to reduce the levels of noise produced by the premises.  
\* Bright lights on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents and switched off altogether shortly after 11pm.

e) The protection of children from harm

\* Staff fully trained on a "Think 21" policy, to challenge/refuse fake/no ID.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000-14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00



Details entered: 24 August 2015 at 11:50 by William Nowel  
Date requested: Reason:  
Date received: 24/08/2015  
Appointment date: Appointment time:  
Result: Result Date:  
Name: Number:  
Date commences: Date expires:

Notes:

Continued from previous page...

Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£) 190.00

**DECLARATION**

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name Ross Wayne Newham

\* Capacity Owner/Personal Licence Holder

\* Date 29 / 07 / 2014  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/exeter/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**

Details entered: 24 August 2015 at 11:50 by William Nowel  
Date requested: Reason:  
Date received: 24/08/2015  
Appointment date: Appointment time:  
Result: Result Date:  
Name: Number:  
Date commences: Date expires:  
Notes:

**OFFICE USE ONLY**

Applicant reference number	Newham Stores
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >