

LICENSING SUB-COMMITTEE

Date: Friday 11 May 2018
Time: 10.00 am
Venue: Bad Homburg Room - Civic Centre

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 Mark Devin, Democratic Services Officer (Committees) on 01392 265477 or email Mark.Devin@exeter.gov.uk

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

Membership -
Councillors Hannan and D Henson

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 **To consider an application for the grant of a Premises Licence in respect of a restaurant called No.3, 3 Fore Street, Topsham, Exeter**

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

(Pages 3 -
46)

Details of the application may be found at <https://exeter.gov.uk/licensing/> 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: 11 May 2018

Report of: Environmental Health and Licensing Manager

Type of Application: The application is for a new premises licence in respect of a restaurant called No.3, 3 Fore Street, Topsham, Exeter under the relevant legislation.

Legislation: Licensing Act 2003 ('the Act')

Ward Application Refers to: Topsham

Applicant: Linda Horner

Premises Address: No.3, 3 Fore Street Topsham, Exeter

1. What is the report about?

1.1 An application attached as Appendix A has been received from the Applicant for the grant of a new premises licence in respect of No.3, 3 Fore Street, Topsham, Exeter. A plan of the premises is attached at Appendix B

2. Are there any representations?

2.1 There has been one representation received and this is attached at Appendix C. The representation is relevant to the Licensing Objective the Prevention of Public Nuisance

3. Report details:

3.1 The application was advertised on the premises and in the local newspaper on 23rd March 2018 in accordance with the requirements of the Licensing Act 2003. The end date for representations was 16 April 2018.

4. Legal and Policy Considerations:

4.1 The Licensing Sub-Committee are required to have regard to;

(a) the representations (including supporting information) presented by all the parties; and

(b) the Official Guidance issued under section 182 of the Licensing Act 2003 revised April 2017 which can be viewed at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627825/revised_182_guidance_05_04_17.pdf; and

(c) the Licensing Authorities Statement of Licensing Policy which can be viewed at
<https://exeter.gov.uk/media/1427/statement-of-licensing-policy-2015-2020.pdf>

- 4.2 In determining a licence application the Licensing Sub-Committee will consider each application on its merits.
- 4.3 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.
- (a) To grant the licence subject to:
 - i. The conditions consistent with the operating schedule modified to the extent that the authority considers appropriate for the promotion of the Licensing Objectives;
 - ii. The mandatory conditions under sections 19, 20 and 21 of the Act.
 - (b) To exclude from the scope of the licence any of the licensable activities to which the application relates;
 - (c) To refuse to specify a person in the licence as the premises supervisor;
 - (d) To reject the application.

Section 18 (5) of the Act provides that conditions in the operating schedule are modified if any of them is altered or omitted or any new condition is added.

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

APPENDIX A

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16/4/18
+54281
£190



Exeter
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

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?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

Name

First name

Linda

Family name

Horner

Contact Details

E-mail

horner.linda@btinternet.com

Telephone number

07597614506

Fax number

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Is the applicant's business registered outside the UK?

Yes No

Continued from previous page...

Commercial register

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

User Profile

Name

First name

Family name

Continued from previous page...

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Fax number	<input type="text"/>
Other telephone number	<input type="text"/>

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

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.

Your Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Commercial register	<input type="text"/>	The entity with which your business is registered, for example "Amsterdam Chamber of Commerce".
Registration number	<input type="text" value="11230238"/>	
Business name	<input type="text" value="No.3 Topsham Ltd"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="-"/> <input type="text"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="Private Limited Company"/>	
Your position in the business	<input type="text" value="Director"/>	
Home country	<input type="text" value="United Kingdom"/>	The country where the headquarters of your business is located.

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Address

Building number or name	<input type="text" value="Long Range"/>
Street	<input type="text" value="Perridge Close"/>
District	<input type="text"/>
City or town	<input type="text" value="Exeter"/>
County or administrative area	<input type="text" value="Devon"/>
Postcode	<input type="text" value="EX2 9PX"/>
Country	<input type="text" value="United Kingdom"/>

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

Section 2 of 21

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

- Address OS map reference Description

Continued from previous page...

Address

Building number or name	<input type="text" value="3"/>
Street	<input type="text" value="Fore Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Topsham"/>
County or administrative area	<input type="text" value="Devon"/>
Postcode	<input type="text" value="EX3 0HF"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text"/>
Telephone number	<input type="text" value="07597614506"/>
Fax number	<input type="text"/>
Other telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="10,000"/>

Section 3 of 21**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 21**INDIVIDUAL APPLICANT DETAILS****Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Date of birth / /
dd mm yyyy

Nationality

Documents that demonstrate entitlement to work in the UK

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name	<input type="text" value="3"/>
Street	<input type="text" value="Fore Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Topsham"/>
County or administrative area	<input type="text" value="Devon"/>
Postcode	<input type="text" value="EX3 0HF"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text" value="horner.linda@btinternet.com"/>
Telephone number	<input type="text" value="07597614506"/>
Fax number	<input type="text"/>
Other telephone number	<input type="text"/>
Date of birth	<input type="text" value="13"/> / <input type="text" value="10"/> / <input type="text" value="1963"/> dd mm yyyy

Nationality Documents that demonstrate entitlement to work in the UK

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of 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.

The premises is in a prominent position in Topsham Fore Street. In the main commercial area. Next to the fire station and the first commercial property on the left hand side of the street. You walk off the main street into the front of the shop and the bar would be to the left as you walk in. We plan to sell mostly coffee and light refreshments during the day and change the ambiance in the evening to a bar with soft lighting and background music. The style will be rustic with a touch of

Continued from previous page...

glamour, aiming at the professional market. There is an enclosed walled garden at back which we will use for additional seating. As we are specializing in South West Gin, we would like to be able to sell gift packs and box sets for people to buy as gifts for special events like birthdays and Christmas. These will be displayed behind the bar.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Continued from previous page...

Will the performance of a play take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for performing plays

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

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

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

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the exhibition of films take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

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

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

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

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Continued from previous page...

Will you be providing indoor sporting events?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for indoor sporting events

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

Continued from previous page...

Non-standard timings. Where the premises will be used for indoor sporting events at different times from those listed in the column on the left, list below

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

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the boxing or wrestling entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for boxing and wrestling entertainment

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

Non-standard timings. Where the premises will be used for the boxing or wrestling entertainment at different times from those listed in the column on the left, list below

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

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the performance of live music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

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

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

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

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

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Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

New Years Eve until 1am New Years Day

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the performance of dance take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance

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

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

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

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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.

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TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment

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

Continued from previous page...

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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WEDNESDAY

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THURSDAY

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Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

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 the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

New Years Eve until 1:00 New Years Day

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

Start

End

End

Give 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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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.

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

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

New Years Eve until 1:00 New Years day

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Date of birth / /
dd mm yyyy

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

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

Give 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.

There will be no 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.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give 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

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 in the column on the left, list below

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

New Years Eve to 1:00 New Years day

Continued from previous page...

Section 18 of 21

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.

TO PROMOTE ALL FOUR LICENSING OBJECTIVES WE WILL ENSURE:

Strong management controls and effective training of all staff so that they are aware of the premises licence and the requirements to meet the four licensing objectives.

As a licensed premises we know that it is necessary to carry out our functions or operate our businesses with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

We will:

- Provide a Designated Premises Supervisor who are obligated to be in day-to-day control of the premises.
- Provide an Operating Schedule providing the hours of operation and licensable activities during those hours.
- Support and provide "Challenge 25" information and point of sale signage to prevent the supply of alcohol to under-age drinkers.
- We will implement a "Challenge 25" age verification policy. No proof no sale.
- We will carry out regular staff training on when and how to refuse a sale.
- We will not sell alcohol to drunk or intoxicated customers
- We will be vigilant regarding illegal drug use
- We will participate in the local pubwatch / nightsafe scheme operating in the area.
- We will install Video/CCTV equipment inside/outside the premises and ensure that it is maintained in working order.
- We will ensure prominent, clear and legible notices are to be displayed on all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly
- We will supervise customers leaving after 11pm
- Customers will be asked not to stand around loudly talking in the street outside the premises.
- Customers will not be admitted to premises above opening hours.
- The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
- Deliveries of goods 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.
- Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.
- All parts of the premises and all Fixtures and fittings will be maintained at all times in good order and in a safe condition
- Ensure there is never overcrowding in the premises
- Ensure there are set safe capacity limits
- Staff will have been trained in/ informed of necessary safety measures
- Ensure patrons can arrive and depart from the premises safely
- Safety checks will be carried out before the admission of the public

b) The prevention of crime and disorder

We will install a CCTV System to monitor entrances, exits, and other parts of the premises in order to address the prevention of crime objective.

We will erect a clear and legible notice outside the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted

We will not sell alcohol to drunk or intoxicated customers

Continued from previous page...

We will support prevention and be vigilant in respect of illegal drug use
We will become members of our local Pub Watch scheme
We will use door supervisors (when necessary) authorised by the SIA
We will ensure that open bottles and cans are not taken from the premises
There will be restrictions on drinking areas
We will ensure safe capacity limits
We will implement Proof of Age schemes (No proof, no sale, no entry) Supported by Signage
We will erect Crime Prevention notices
We will have a book recording all incidents at the premises
We will not run irresponsible promotions that may lead to the excessive consumption of alcohol
We will give a specified time between last sales and the close of the premises
We will supply a free soft drink, water or coffee at the end of the evening.

c) Public safety

We will ensure that Internal and External lighting is fixed to promote the public safety objective
We will ensure our staff are well trained to adhere to environmental health requirements
We will give training and implement underage ID checks.
A log book or recording system will be kept on the premises in which shall be entered particulars of inspections made
The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
All parts of the premises and all Fixtures and fittings will be maintained at all times in good order and in a safe condition.
We will ensure there is never overcrowding in the premises.
We will ensure there are set safe capacity limits.
Staff will have been trained in/ informed of necessary safety measures.
We will ensure patrons can arrive and depart from the premises safely.
Safety checks will be carried out before the admission of the public.
Doors and windows at the premises to be closed where practicable.
We will ensure prominent, clear and legible notices are to be displayed on all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
There will be No bright lights outside the premises.
We will have a book for recording nuisance complaints
We will supply a free soft drink, water, coffee or food at the end of the evening.

d) The prevention of public nuisance

Prominent, clear and legible notices 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.
Doors and windows at the premises to be closed where practicable to limit noise escape.
Deliveries of goods 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.
Customers will be asked not to stand around loudly talking in the street outside the premises.
Customers will not be admitted to premises above opening hours.
The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm. This will help to reduce the levels of noise produced by the premises.
Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

e) The protection of children from harm

We will implement a "Challenge 25" age verification policy.
We will display a "Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS hologram, a photographic driving license or a passport) if they wish to buy alcohol.

Continued from previous page...

We will give regular staff training on when and how to refuse a sale. No proof no sale age verification policy.

A Log Book will be kept upon the premises all the time.

We will limit the hours when children may be present with an accompanying adult and display any restrictions on the admittance of individuals according to age (e.g. Children) on the premises and in any advertising.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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

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 your 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

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

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

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

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership. I

* understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will be become invalid if I cease to be entitled to live and work in the UK.

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

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or

* her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate.

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

* 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 to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

Continued from previous page...

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number

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

Digital Signature Information

Signer's name

Signer's contact information

Signing time

Signer status

Signature status

Certificate issuer

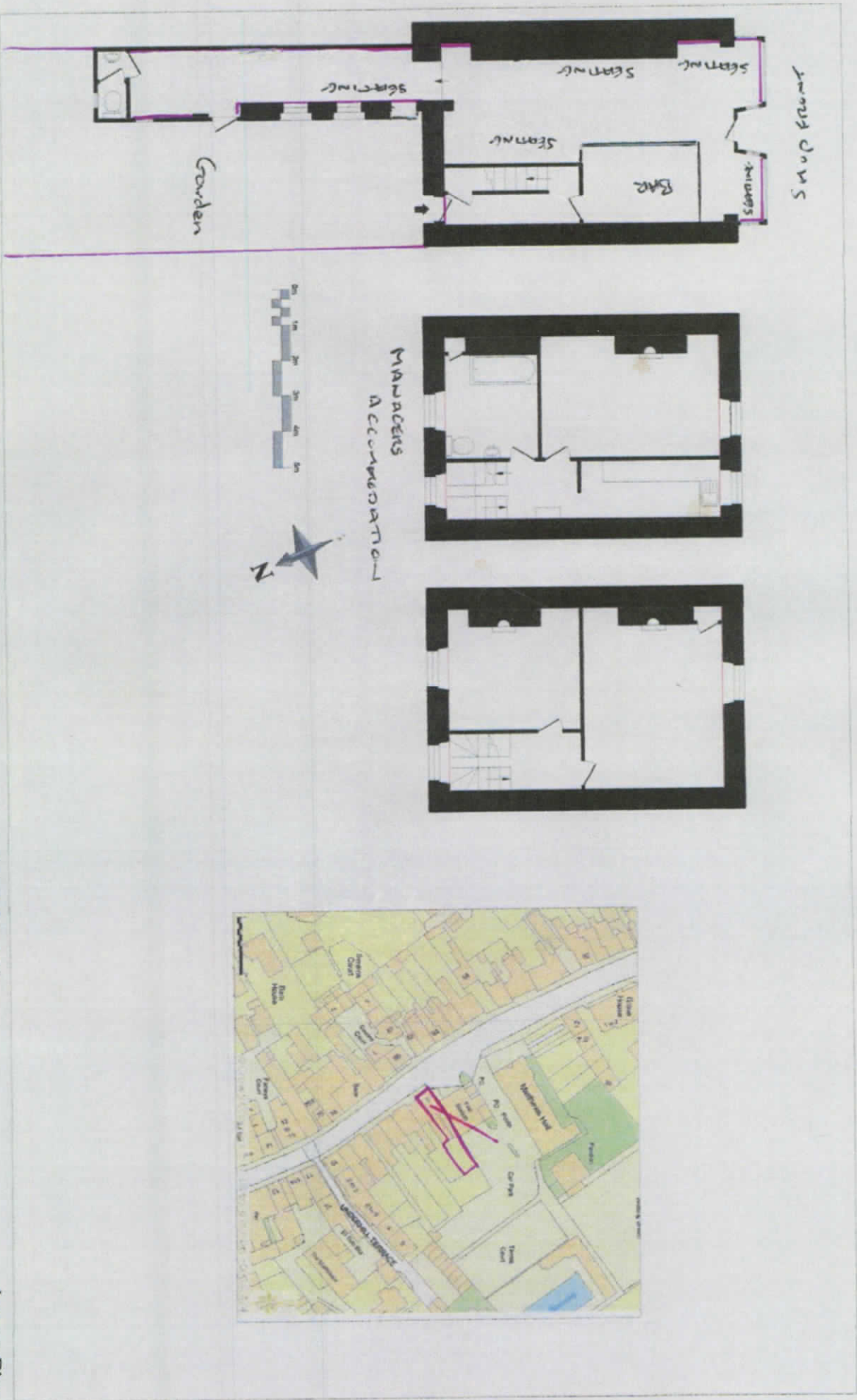
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >

APPENDIX B

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Energy Performance Direct
 PO Box 606,
 Exeter,
 EX1 9PD
 T: 01392 43002
 M: 0777215934
 E: info@energypowerdirect.co.uk
 W: www.energypowerdirect.co.uk



Lease plan for property at:
 3 Fore Street,
 Topsham,
 EX3 0HF

Date: 19-Dec-2017
 Drawn By: ZH
 Drawing Ref: EX3 0HF

Lease Plan
 Pg size A3
 Scale 1:100 1:1250

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APPENDIX C

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10/04/2018

Dear Sir/Madam,

We have seen the proposal for the licensing hours at no 3. Fore St, Topsham. We objected to the initial planning proposal on the grounds that Fore St is highly residential, and many residents, ourselves included, have to sleep on the street side of their homes. Allowing a new drinking establishment to open up on this stretch threatens to create noise and people clustering outside on the pavement. We already suffer some late night noise from drinkers after the pubs close at around 11.0. at night but usually it wears off quickly and there is then peace after about 11.30. Matthews Hall events always end at 11.0, so as not to cause nuisance to nearby residents.

We feel therefore that this application is unsuited to the area and could change the character of the street in the evenings. If however the application is granted, then **we most strongly urge you to limit these drinking hours to those offered by the pubs.** 23.30 and 00.00 is far too late, and noise and bad behaviour on the street is likely to extend until well after midnight. It also seems likely that drinkers would move on from the pubs at closing time to the bar, which in itself could cause trouble as well as additional noise.

Please take into account the fact that Fore St is a shopping street by day, and a residential area at night.

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