

REPORT TO: LICENSING (SUB) COMMITTEE

Date of Hearing: 10.4.2019

Report of: Environmental Health and Licensing Manager

Type of Application: The application is for a new premises licence in respect of The Mad Butchers, Unit 1, 25 Manor Road, Exeter, EX4 1EN

Legislation: Licensing Act 2003 ('the Act')

Ward Application Refers to: St Thomas

Applicant: Sam Mooney

Premises Address: Unit 1, 25 Manor Road, Exeter, EX4 1EN

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 for The Mad Butchers, Unit 1, 25 Manor Road, Exeter. A plan of the premises is attached at Appendix B

2. Are there any representations?

- 2.1 There has been 10 representations received and these are attached at Appendix C. The representations are relevant to the Licensing Objectives the Prevention of Public Nuisance, Public Safety & Protection of Children from Harm

3. Report details:

- 3.1 The licence seeks to apply for:
- Supply of alcohol: Monday to Sunday: 15.00-23.00 Off Sales by home delivery
- 3.2 The applicant has set out steps it intends to take to promote the Licensing Objectives in the Operating Schedule in the application
- 3.3 The application was advertised on the premises Friday 1 March and in the local newspaper on Thursday 7 March in Express & Echo in accordance with the requirements of the Licensing Act 2003. The end date for representations was 28 March 2019

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

(181 52 119)

2813117
741034
£190



Exeter
Application for a premises licence
Licensing Act 2003

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

* required information

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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

* First name

Sam

* Family name

Mooney

* E-mail

Main telephone number

Include country code.

Other telephone number

☐ 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.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes

☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

11623714

Business name

The Mad Batchers

If your business is registered, use its registered name.

VAT number

none

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

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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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

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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**NON INDIVIDUAL APPLICANTS**

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

Non Individual Applicant's Name

Name

Sam Mooney The Mad Butchers

Details

Registered number (where applicable)



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

Continued from previous page...

Managing Director - Private Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

Documents that demonstrate entitlement to work in the UK

Add another applicant

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OPERATING SCHEDULE

When do you want the premises licence to start?

04 / 02 / 2019
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 unit is an open plan space, we will be conducting ~~mainly~~ delivery business for alcohol and food sales to customers via online sales and also local delivery services. No consumption of alcohol or food would take place on the premises. This ensure we will not be serving any customers onsite to help prevent serving customers who are already drunk and also the face are business model is a delivery service it will also help to reduce drink driving as the alcohol product will have to be delivered to a clients home.

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

☐ Yes

☒ No

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PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

☐ Yes

☒ No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

☐ Yes

☒ No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

☐ Yes

☒ No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

☐ Yes

☒ No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

☐ Yes

☒ No

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Continued from previous page...

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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

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☐ Yes

☒ No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ 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

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 15:00

End 23:00

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.

N/A - all year round.

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.

n/a

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

Name

First name

Sam

Family name

Mooney

Date of birth

Continued from previous page...

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Personal Licence number
(if known)

Issuing licensing authority
(if known)

Exeter

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'.

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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.

Alcohol on premises

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

15:00

End

22:00

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.

Continued from previous page...

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.

n/a

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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)

Continued from previous page...

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

By providing alcohol directly to customer homes it ensures they are in a safe and private location when consuming alcohol. This will help prevent underage drinking and also drinking in public places. This will also help protection of children due to only conducting online payments and not allowing cash sale of product ensuring children will be far less likely to purchase. As well as reducing public nuisance as once an order is placed it will go directly to the customers home reducing the chance of anyone being a public nuisance while ordering alcohol. We will also be working with well established delivery companies such as deliveroo who already have vigorous ID policies in place and ensuring public safety.

b) The prevention of crime and disorder

By providing alcohol directly to customer homes it ensures they are in a safe and private location when consuming alcohol. This will help prevent underage drinking and also drinking in public places.

c) Public safety

We are not on a high street location so since this is mainly a delivery service it will ensure customers are likely to remain in their on home and also reduces the chance of drink driving due to the availability of having the product delivered.

d) The prevention of public nuisance

As we will not be selling to customers directly via the unit it will ensure that clients that have our alcohol product will not be in the public when receiving and consuming our product.

e) The protection of children from harm

Since we are not selling alcohol directly via the premises this will ensure that no minors are able to purchase alcohol via getting someone older to buy it on their behalf. Since this is mainly online sales it will help that multiple companies will be invoked with the client to help reduce greatly the chance of underage drinking and danger to children.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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.

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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 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

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

Continued from previous page...

* 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.

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.

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

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

Sam Mooney

* Capacity

Managing Director

* Date

14 / 01 / 2019
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 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

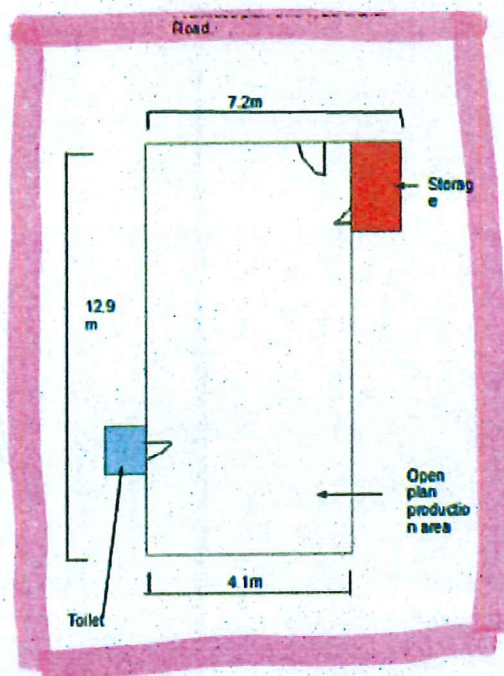
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
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Date and time submitted	<input type="text"/>
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APPENDIX B



APPENDIX C

0 8 FEB 2019

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

7th February 2019

RE: Application for a new premises licence submitted by Sam Mooney
Premises: The Mad Batchers, Unit 1, 25 Manor Road, Exeter, EX4 1EN
"To supply alcohol from 15:00 to 23:00 Monday to Sunday off premises by home delivery".

To whom it may concern,

We are writing to you to **strongly object to the new premises licence proposed by Mr Mooney for the above premises**. As a young family who have recently moved into Cornwall Street, a very quiet and residential street, we are extremely alarmed at the possibility of the property being licenced to sell and deliver alcohol.

We have the following concerns about a premises licence being granted in our residential street:

1. The prevention of crime and disorder

With alcohol being kept on the premises we are concerned about theft and break-ins to the premises from those vulnerable or living with addiction. This is also likely to mean an increase in crime and home break-ins in the area due to the quiet residential nature of the street.

2. The prevention of public safety

The application suggests a delivery service running from the premises which naturally means increased traffic along the street and in the area. We are concerned for the safety of children who play and cycle along the street, as well as those more elderly and vulnerable in our neighbourhood.

3. The prevention of public nuisance

We are concerned about increased noise, due to the late operating hours (11pm) of Mr Mooney's premises. As well as again increased traffic around school hometime (3pm). With us having small children in the next year this really would be a nuisance to us as a young family.

4. The protection of children from home

Due to the immediate proximity to Montgomery Primary School as well as the small children's martial arts club next door to the premises, that a premises would receive an alcohol licence from the city council is extremely alarming.

We moved into Cornwall Street in late October 2019 for the very reasons of it being a safe and quiet street. There are many local shops and pubs in the area where people can purchase alcohol, please do not let this happen in our street.

We strongly object to this licence being granted by the city council.



12 FEB 2019

To: The Licensing Section
Exeter City Council
Civic Centre
Paris Street,
Exeter, EX1 1RQ



Date: 9th February 2019

RE Application for a new premises licence
Application by Sam Mooney
Premises "The Mad Batchers"
Unit 1, 25 Manor Road
Exeter EX4 1EN

To supply Alcohol From 15:00 to 23:00 Monday to Sunday off premises by home delivery.

Dear Sir/Madam

We are writing to object to this application to supply alcohol from the premises at 25 Manor Road.

As residents of Manor Road we object to giving a license to sell alcohol from a business in what is a residential area, with a neighbouring school and a busy congested road at various times of the day, especially in the evenings as people come home from work.

Prevention of crime and disorder

A business such as this is not only inappropriate to operate from a residential area but unnecessary as there are several businesses licensed to sell alcohol in nearby Okehampton Road, Cowick Street and Buddle Lane, attracting our share of 'park and street drinkers' to the area.

Storage of alcohol in these premises could well attract burglars and increase opportunist crime in our area.

There are many older residents around here as well as families and we all need to feel safe in an increasingly unsafe world. There have been several break ins and attempted break ins in an area frequented by drug pushers and other unsavoury characters.

Public Safety

With the increase in traffic, to deliver the goods by van or lorry to small roads such as Manor Rd. or Cornwall St. could endanger children and older people, who already use the paths and cross the street often at their peril as the 20 mph limit is frequently ignored. Children and young people going to classes at the Martial Arts centre could find the road even more congested as vans or bikes come and go to collect and deliver orders. In addition it would be reasonable to assume the people working to fulfil the orders and maintain stock will be using vehicles meaning increased traffic and requiring additional parking in the area.

The prevention of public nuisance.

The atmosphere of this residential area would certainly be changed (adversely affected) by the increase in traffic for deliveries to and from the premises, whether by van, lorry, motor

bike/scooter or bicycle. The streets are already narrowed by the many residents vehicles parking here and of course the evenings are peak time for parking. Increased noise, movement and even delivery people congregating whilst waiting for the orders in the evenings would, for us, constitute a public nuisance.

Whilst not directly applicable to this application for a licence it is pertinent to our concerns that the applicants have stated their intention to start a catering delivery business as well – cooking and delivering from these premises – another potentially big increase in traffic with deliveries of stock, staff working and delivering the orders.

With both alcohol deliveries and food deliveries the public nuisance would be additional busyness, noise and cooking smells.

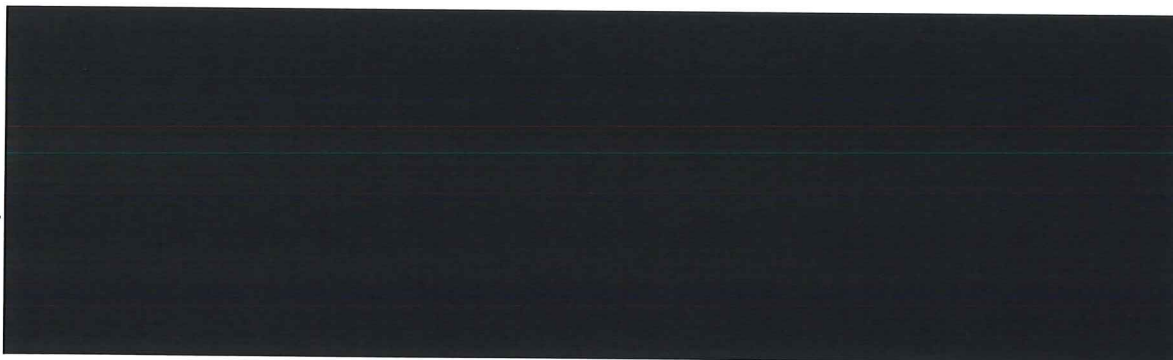
The protection of children from harm

The premises are located directly adjacent to a school, a martial arts centre used by young people and in a family residential area. Whilst we do not envisage alcohol being sold to under-age drinkers it the physical safety of these children with increased traffic from deliveries of stock to the premises during the day and deliveries to customers during the evenings.

The type of business proposed does not seem to fit with either the area it which it is located (residential) or the other small businesses nearby, i.e. a tattoo parlour and a martial arts club (used a lot by young people).

Surely it would be far more appropriate to have a business such as this on Marsh Barton or similar industrial area.

We urge you to consider refusing this licence in the context of all our very real concerns.



To; The Licensing Section
Exeter City Council
Civic Centre
Paris Street.
Exeter EX1 1RQ



March 12th

Re: Application for a new premises licence
Application by Sam Mooney
Premised "The Mad Batchers"
Unit 1, 25 Manor Road
Exeter EX4 1EN

To the supply Alcohol from 15:00hrs to 23:00hrs Monday to Sunday off sales by home delivery.

Dear Sir/Madam,
We object to this new premises licence, due to the reasons given below.

THE PREVENTION OF CRIME AND DISORDER

This unit is not suitable for supply of alcohol, due to the number of ways it can be broken into. Over the 58yrs we have lived in Cornwall Street, children have climbed onto the roof, from the school and roads, to collect footballs e.t.c. They have broken the roof sheets, and fallen through the roof.

THE PREVENTION OF PUBLIC NUISANCE

Cornwall Street and Manor Road being a cul-de-sacs it is not suitable for extra traffic. If they drive in, they have to back out, or ask a residents to move cars, so they can three point turn, if they are lucky. With this taking place, when the school children are about. It must come under public safety.

Having read in the news paper and seen on the television, that Exeter City Council have a number of challenges such as air pollution being part of it, we must object to any increase of congestion and pollution due to the hours of opening from 3.00pm to 11.pm.

As we have not been able to find out the times of trading from this warehouse? Orders could be taken between 3.00pm & 11.pm for delivery after 11.00.pm or before 3.00.pm the next day, causing extra public nuisance to this area.

We hope the Council Sub Committee consider this when hearing the application.

As for ourselves, we spent quite a lot on air cleaners etc. due to C.O.P.D. and Bronchietasis. We think it is inappropriate for this license to be in a residential area. Regarding protection of children and alcohol this question should never be in doubt. Who can you say all orders come from over age drinkers?? We therefore object to the granting of any alcohol license.

**We have made inquiries by email and phone regarding the notice in Cornwall Street
but none in Manor Road.**



to Licensing Section
Exeter City Council

(1)

13 FEB 2019

Re: Application for new premises licence

Sam Horney
'The Good Butchers'

Unit 1 25 Hono Road

EXETER

To Alphon H Hony Licence

We are writing to object to the
application for a licence to supply alcohol
from the premises at 25 Hono Road.

The application is inappropriate for a
premises in a residential area.

We note the application is for off-
premises only, by home delivery

and therefore have concerns about the additional traffic to such a quiet street as Howe Road. Will there be cars/bikes idling outside the premises late at night? Parking is already an issue there, particularly in the evenings.

We are also concerned that the premises may be a target for crime, such as burglary, once the type of business being run there is known.

The application does not really sit with the area and seems better suited to somewhere that is not so residential and is not next to a school.

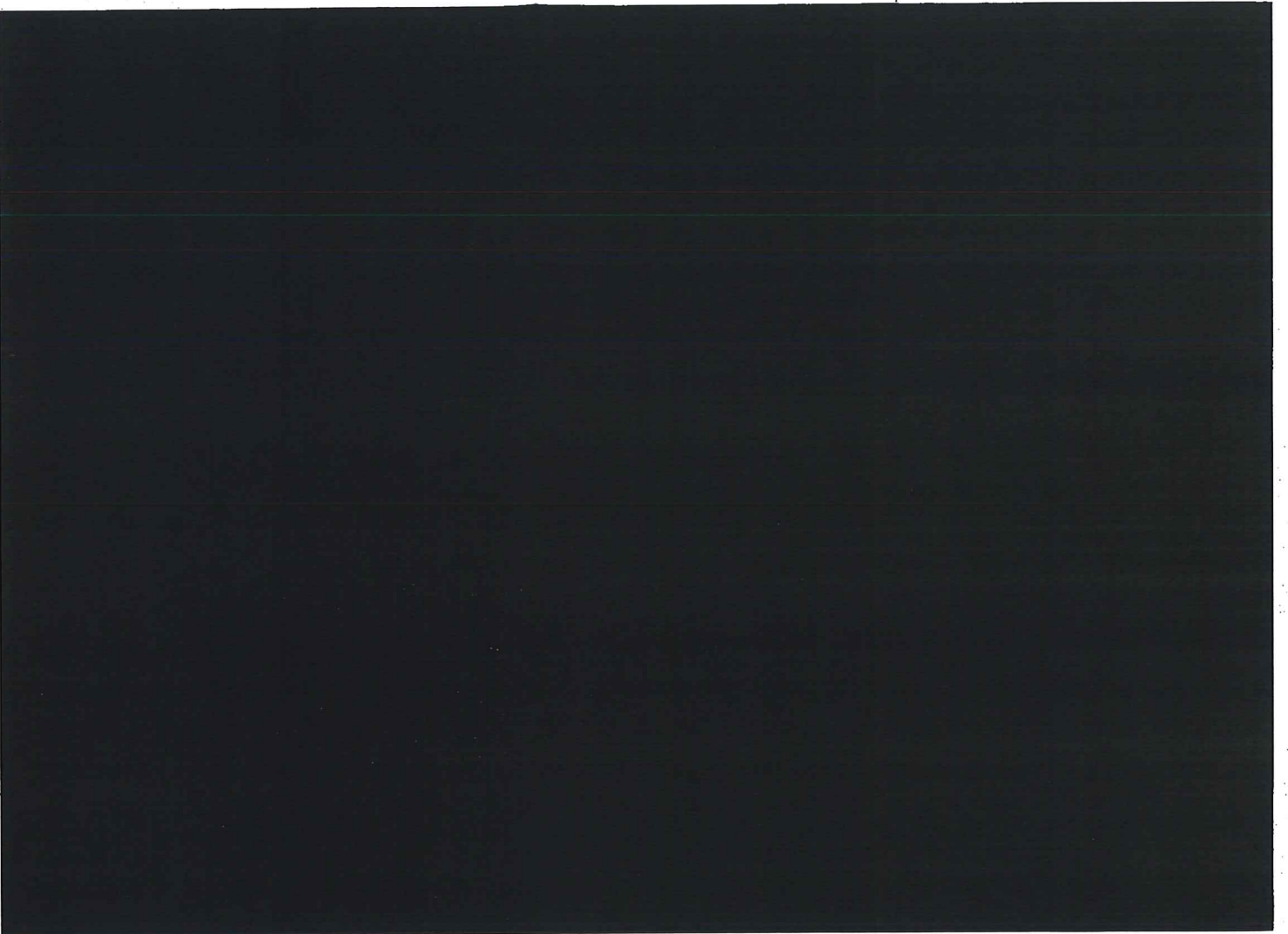
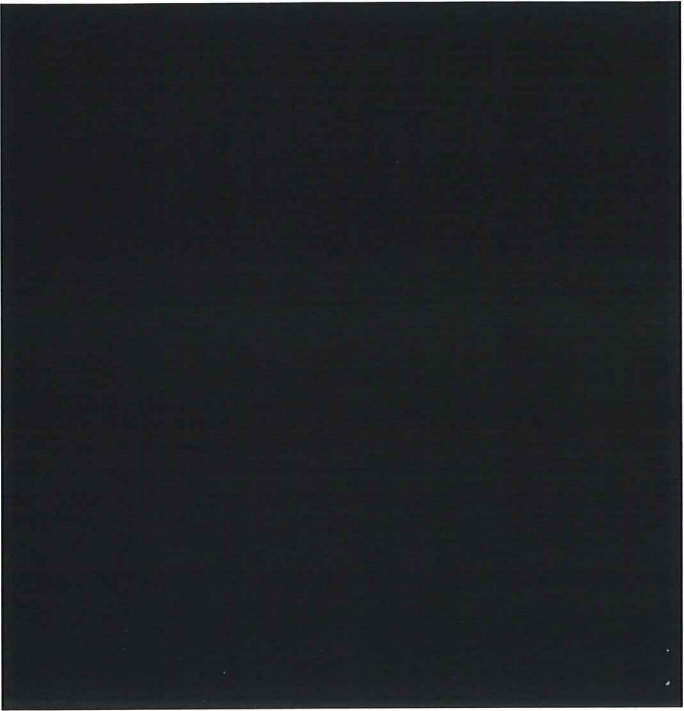
Application number

(3)

is given now

We hope no objection is noted and
that the application is rejected.

Yours faithfully



Caroline Moorhead

From: Neil Gardiner on behalf of Licensing Team
Sent: 15 February 2019 11:38
To: Matthew Tucker
Subject: FW: Objection to lid app 25 Manor Road

fyi

Neil Gardiner
Licensing Officer
Exeter City Council
Civic Centre, Paris Street, Exeter, EX1 1RQ

T. 01392 265702

E. Neil.gardiner@exeter.gov.uk

Sent: 15 February 2019 11:36
To: Licensing Team <licensing.team@exeter.gov.uk>
Subject: Objection to lid app 25 Manor Road

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

14th February 2019

To whom it may concern,

RE: Objection to application for a new premises licence, Sam Mooney, "The Mad Batchers", Unit 1, 25 Manor Road, Exeter, EX4 1EN

I am writing to firmly object as per The Licensing Act 2003 to the application to supply alcohol from the premises of 25 Manor Road.

Protection of Children from Harm

This is very clearly a built up residential area which adjoins a primary school. One of the pedestrian entrances is in very close proximity to the premises applying for an alcohol licence.

School traffic has always been an issue with pick up at 3pm but since the flats were built opposite 25 Manor Road the traffic throughout the day and particularly in the evening has significantly increased.

Public Nuisance / Public Safety

The increase in traffic has contributed to both the existing parking issues in Manor Road, Landscore Road and Cornwall Street but also causes a substantial amount of noise disturbance, in what was once a quiet residential street. Most evenings it is not even possible to use the turning circle at the end of the road,

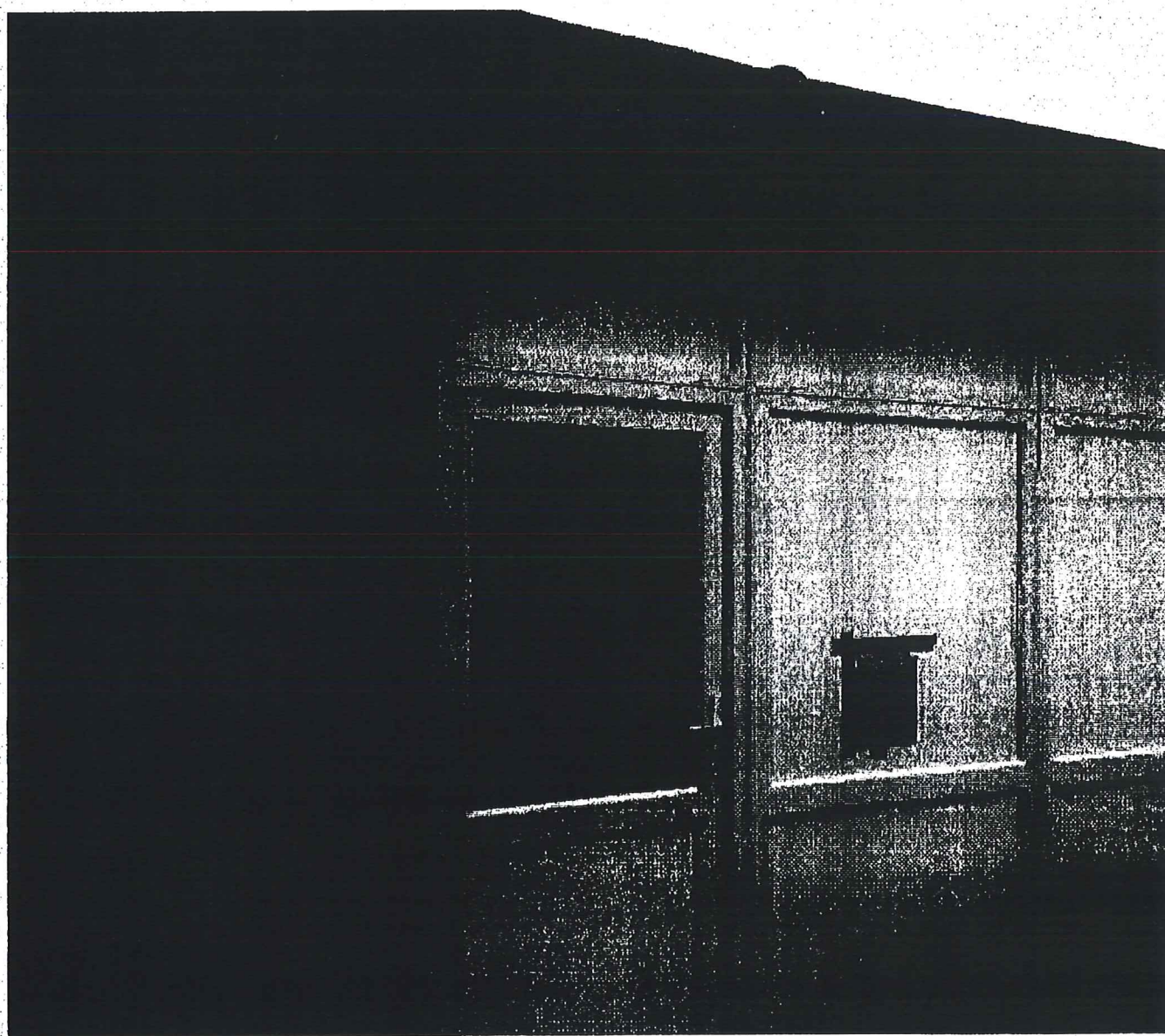
opposite 25 Manor Road, as residents use this area for parking. This blocks the road and would be an issue for any emergency vehicle needing to access the school or the flats.

A constant flow of traffic to supply alcohol for home delivery between 15.00 and 23.00 Monday to Sunday will only exacerbate these issues. For these reasons, I think it is highly inappropriate for this type of business to operate from a residential area. I would also add that alcohol is readily available from several local businesses in St Thomas who already open until 11pm.

I would also like to raise concerns regarding the process followed to notify residents of Manor Road about the licensing application. As you will see from the attached photos, the only notification about this application was placed on a building in Cornwall Street; there are no notices in Manor Road.

Yours faithfully

[Redacted signature]



To: The Licensing Section
Exeter City Council
Civic Centre
Paris Street,
Exeter, EX1 1RQ

Name
Address



Date

RE Application for a new premises licence
Application by Sam Mooney
Premises "The Mad Batchers"
Unit 1, 25 Manor Road
Exeter EX4 1EN

To Supply **Alcohol** From 15:00 to 23:00 Monday to Sunday off premises by home delivery.

Dear Sir/Madam

I am writing to object to this application to supply alcohol from the premises at 25 Manor Road.

As a resident of Manor Road I object to giving a license to a new business in what is a residential area, with a neighbouring school and a busy congested road at various times of the day, especially in the evenings a people come home from work and park.

A business such as this is not only inappropriate to operate from a residential area but unnecessary as there are several businesses licensed to sell alcohol in nearby Okehampton Road, Cowick Street and Buddle Lane.

The application states it is for home delivery – does this mean there will be Deliveroo type vehicles waiting to take the orders to people purchasing from the business. For a successful business this would surely mean a constant flow of traffic in these quiet (after 4pm) back streets as orders are received and fulfilled.

The type of business proposed does not seem to fit with either the area it which it is located (residential) or the other small businesses nearby, i.e. a tattoo parlour and a martial arts club (used a lot by young people).

There is also the potential for attracting burglars to the area once they know alcohol is kept on the premises. There are many older residents around here as well as families and we all need to feel safe in an increasingly unsafe world.

I am also concerned that this is the thin end of the wedge and once a business such as this is established there it will expand and become a bar/off licence or start cooking and selling food 'to go'.

Yours faithfully



05 FEB 2019

To: The Licensing Section
Exeter City Council
Civic Centre
Paris Street,
Exeter, EX1 1RQ

Name
Address

Date 01.02.2019

RE Application for a new premises licence
Application by Sam Mooney
Premises "The Mad Butchers"
Unit 1, 25 Manor Road
Exeter EX4 1EN

To Supply Alcohol From 15:00 to 23:00 Monday to Sunday off premises by home delivery.

Dear Sir/Madam

I am writing to object to this application to supply alcohol from the premises at 25 Manor Road.

As a resident of Manor Road I object to giving a license to a new business in what is a residential area, with a neighbouring school and a busy congested road at various times of the day, especially in the evenings a people come home from work and park.

A business such as this is not only inappropriate to operate from a residential area but unnecessary as there are several businesses licensed to sell alcohol in nearby Okehampton Road, Cowick Street and Buddle Lane.

The application states it is for home delivery – does this mean there will be Deliveroo type vehicles waiting to take the orders to people purchasing from the business. For a successful business this would surely mean a constant flow of traffic in these quiet (after 4pm) back streets as orders are received and fulfilled.

The type of business proposed does not seem to fit with either the area it which it is located (residential) or the other small businesses nearby, i.e. a tattoo parlour and a martial arts club (used a lot by young people).

There is also the potential for attracting burglars to the area once they know alcohol is kept on the premises. There are many older residents around here as well as families and we all need to feel safe in an increasingly unsafe world.

I am also concerned that this is the thin end of the wedge and once a business such as this is established there it will expand and become a bar/off licence or start cooking and selling food 'to go'.

Yours faithfully

Caroline Moorhead

From: Neil Gardiner on behalf of Licensing Team
Sent: 18 February 2019 08:08
To: Matthew Tucker
Subject: FW: Matt Tucker - Objection to application for a new premises licence - 25 Manor Road
Attachments: IMG_3926.JPG; IMG_3927.JPG

FYI.

Neil Gardiner
Licensing Officer
Exeter City Council
Civic Centre, Paris Street, Exeter, EX1 1RQ

T. 01392 265702

E. Neil.gardiner@exeter.gov.uk

To: Licensing Team <licensing.team@exeter.gov.uk>

Subject: FAO: Matt Tucker - Objection to application for a new premises licence - 25 Manor Road

Dear Matt,

RE: Objection to application for a new premises licence, Sam Mooney, "The Mad Batchers", Unit 1, 25 Manor Road, Exeter, EX4 1EN

I am writing to firmly object as per The Licensing Act 2003 to the application to supply alcohol from the premises of 25 Manor Road.

Protection of Children from Harm

25 Manor Road is situated amongst a built up residential area which adjoins a primary school. The availability of alcohol is a concern given that the proposed opening hours coincide with children leaving school from 3pm onwards.

Public Nuisance / Public Safety

School traffic has always been an issue with pick up at 3pm but since the flats were built opposite 25 Manor Road, the traffic throughout the day and particularly in the evening has significantly increased, additional traffic at this time will contribute to the existing parking issues in Manor Road, Landscore Road and Cornwall Street which is a nuisance for residents.

A pedestrian entrance for the school is within metres of the premises applying for an alcohol licence, the safety of children entering and exiting the school on foot is cause for concern with additional delivery traffic parking and turning in a tight space.

The increase in traffic also causes a substantial amount of noise disturbance, in what was once a quiet residential street. A constant flow of traffic to supply alcohol for home delivery between 15.00 and 23.00 Monday to Sunday will only exacerbate the noise for residents of Manor Road.

Most evenings it is not even possible to use the turning circle at the end of the road, outside 25 Manor Road, as this area is used for parking. This blocks the road and would be an issue for any emergency vehicle needing to access the school from Manor Road or the flats – Manor Place.

There is not adequate parking or turning space for existing residents so I fail to see where the vehicles used for delivery of alcohol will park whilst loading and unloading and during downtime.

I think it is highly inappropriate for this type of business to operate from a residential area.

Finally, I would like to raise concerns regarding the process followed to notify residents of Manor Road about the licensing application. As you will see from the attached photos, the only notification about this application was placed on a building in Cornwall Street; there are no other notices in Manor Road.

Yours faithfully,

A large black rectangular box redacting the signature of the sender.

12 FEB 2019

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

Dear Sir or Madam

As a resident of [REDACTED] (EX4 1BU) I am putting in writing why I do not think that it is sensible, reasonable or safe to grant the application that Mr Sam Mooney has made for a premise licence at address, Unit 1, 25 Manor Road, Exeter EX4 1EN. In accordance with the Licensing act of 2003 I would like to state that allowing such an application to go through would be in violation along the following grounds;

- the prevention of crime and disorder (for example drug-related problems, disorder, drunkenness and anti-social behaviour)
- Public safety (the physical safety of people using the venue)
- The prevention of public nuisance (for example noise from music, litter and light pollution)
- The protection of children from harm (including moral, psychological and physical harm)

Cornwall Street and the adjacent areas is not an appropriate site to allow the sale of alcohol regardless of it being off premise. My understanding is that Mr Mooney is looking to run a 'deliveroo type' alcohol service from this location. As a car owner and parking permit holder I have concerns about deliveries blocking our road, possible damage caused to our vehicle by deliveries or by alcohol delivery drivers and about the space needed to run such an operation. As it stands myself and my neighbours often find that we are having to park several streets away as there isn't enough room for the current levels of cars and permit holders.

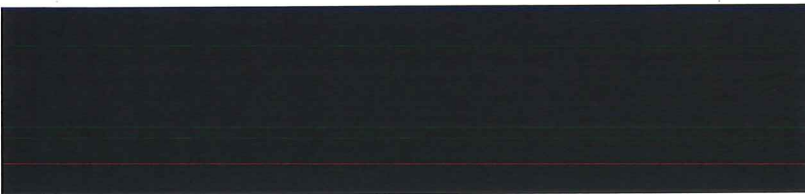
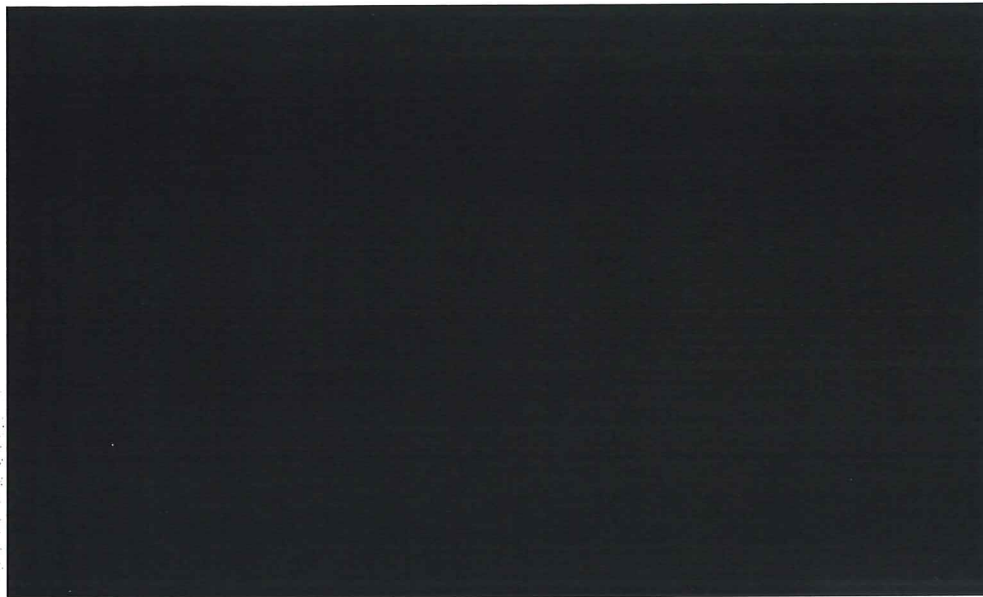
The current passage way that links Cornwall Street and Manor Road is a useful one, and a lot of people take advantage of it. This is also the case on most weekends where people returning from a late night out will use it as a short cut for their journey. This already brings a certain level of noise, shouting and litter (beer cans and kebab boxes mainly) to our street and I believe that offering an alcohol delivery service will only increase the noise levels and nuisance caused to the public/ residents throughout the week from staff members and their transport.

With a school right next door, as well as a lot of children living in the area, I also have worries about the rubbish and litter that such a business will bring

Finally, and as a license holder, (who has worked in hospitality establishments for 10 years, License number EXE-001129) I have managed at various levels pubs and restaurants around Exeter and know what effect the sale of alcohol has on an area and community. Any establishment that sells alcohol will always bring unwanted attention. This will come in the form of people looking to cause trouble, drunk people trying to collect or place an order and possible drug users. I have serious concerns that allowing such an establishment in the area will have irreversible damaging affects to the community and make living the area extremely unpleasant and unsafe place to live.

Yours Sincerely

[REDACTED]



15 February 2019

To whom it may concern,

RE: Obejection to application for a new premises licence, Sam Mooney, "The Mad Batchers", Unit 1, 25 Manor Road, Exeter, EX4 1EN

I am writing to firmly object as per The Licensing Act 2003 to the application to supply alcohol from the premises of 25 Manor Road.

Protection of Children from Harm

This is very clearly a built up residential area which adjoins a primary school.

School traffic has always been an issue with pick up at 3pm but since the flats were built opposite 25 Manor Road the traffic throughout the day and particularly in the evening has significantly increased.

Public Nuisance / Public Safety

This has contributed to both the existing parking issues in Manor Road, Landscore Road and Cornwall Street but also causes a substantial amount of noise disturbance, in what was once a quiet residential street. Most evenings it is not even possible to use the turning circle at the end of the road, opposite 25 Manor Road, as residents use this area for parking.

A constant flow of traffic to supply alcohol for home delivery between 15.00 and 23.00 Monday to Sunday will only exacerbate these issues. For these reasons, I think it is highly inappropriate for this type of business to operate from a residential area. I would also add that alcohol is readily available from several local businesses in St Thomas who already open until 11pm.

I also feel that due diligence has not been followed in notify residents of Manor rd of this application; I believe clear and obvious notification needs to be placed in the area, the only posters of note are on a building in Cornwall street, which is not even the street or road where the application is being made from, see attached photo's; this to me is an obvious and devious ploy to limit notification of the application.

Please can you confirm receipt of this objection as the closing date for submission is today.

Yours faithfully

A solid black rectangular box used to redact the signature of the person writing the letter.