

LICENSING SUB-COMMITTEE

Date: Thursday 21 January 2021

Time: 10.00 am

Venue: Legislation has been passed that allows Council's to conduct Committee meetings remotely

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

During the Corona Virus outbreak, Licensing Sub Committee hearings will be held by virtual means. If you wish to view the meeting at the start time -

<https://www.facebook.com/exetercitycouncil/live/%E2%80%99>

Membership -

Councillors Newby, Vizard and Wood

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

To pass the following resolution:

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for item 5 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part I of Schedule 12A of the Act.

LICENSING ACT 2003

4 Application to Grant a Premises Licence

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 3 - 56)

Part II: Item suggested for discussion with the press and public excluded

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

5 Application for Roving Consent to Engage in Street Trading

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 57 - 66)

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265275.

REPORT TO LICENSING SUB COMMITTEE

Date of Hearing: 21st January 2021

Report of: The Service Lead - Environmental Health & Community Safety

Type of Application: A new premises license

Legislation: Licensing Act 2003 ('the Act')

Applicant: Ford Holdings Limited (Company Registration No 12606277)

Premises Address: Ganbeis, Unit 2, Commercial Road, Exeter, EX2 4AE

Ward of Premises: St David's Ward

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 license for Ganbeis, Unit 2, Commercial Road, Exeter, EX2 4AE. A plan showing the Premises is attached at Appendix B. The proposed licensed area of the Premises is edged red.

2. Are there any representations?

- 2.1 There have been two representations received and these are attached at Appendix C and D. These representations are relevant to the Licensing Objectives, Public Safety and the Prevention of Public Nuisance.

3. Report details:

- 3.1 The Applicant is a private limited company registered at Companies House. The Companies House website states that the company was incorporated on 15th May 2020 and the company status is active.
- 3.2 The Application seeks to apply for:
 - **Provision of Recorded Music:** Monday-Sunday **09:00 – 01:00** hrs. (Indoors only)
 - **Late Night Refreshment:** Monday to Sunday **23:00 – 01:00** hrs (On and Off-sales.)
 - **Supply of alcohol:** Monday to Sunday: **09:00 – 01:00**hrs (On and Off Sales)
 - **Hours Open to the Public:** Monday to Sunday **09:00 – 02:00** hrs
- 3.3 Devon and Cornwall Constabulary has mediated with the Applicant within the 28 day consultation period proposing amended times and licensing conditions.
- 3.4 The Applicant has confirmed agreement to the Devon and Cornwall Constabulary of the proposals as set out in Appendix E and E (a).

The revised times agreed are;

- **Provision of Recorded Music:** (Indoors only)
Monday to Saturday **09:00 – 01:00hrs.** Sunday **09:00 – 00:00hrs.**
- **Late Night Refreshment:** (On and Off-sales)
Monday to Saturday **23:00 – 01:00hrs.** Sunday **23:00 – 00:00hrs.**
- **Supply of alcohol:** (On and Off Sales)
Monday to Saturday: **09:00 – 00:30hrs.** Sunday **09:00 – 23:30hrs.**
- **Hours Open to the Public:**
Monday to Saturday **09:00 – 01:00hrs.** Sunday **09:00 – 00:00hrs.**

- 3.5 The Applicant has set out steps he intends to take to promote the Licensing Objectives in the Operating Schedule in the Application, making reference to the British Beer and Pub Association link 'Irresponsible Drink Promotions' This is attached as Appendix F.
- 3.6 The Application was advertised on the premises from 27th November 2020 and in the local newspaper on 3rd December 2020 in Express & Echo in accordance with the requirements of the Licensing Act 2003. The end date for representations was on the 24th December 2020.

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;
 - (b) The Official Guidance issued under section 182 of the Licensing Act 2003 revised April 2018 which can be viewed at the [Revised guidance issued under section 182 of Licensing Act 2003](#);
 - (c) The Licensing Authorities Statement of Licensing Policy which can be viewed at the [Statement of Licensing Policy on the Council website](#).
- 4.2 In determining a license application the Licensing Sub-Committee will consider each application on its merits.
- 4.3 The Licensing Sub-Committee, having regard to the representation, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.
- (a) To grant the license 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 license any of the licensable activities to which the application relates;
 - (c) To refuse to specify a person in the license 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.

Service Lead – Environmental Health & Community Safety

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

Background papers used in compiling this report:-
None

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275

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* 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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="Ganbeis"/>	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	<input type="text" value="Robert"/>	
* Family name	<input type="text" value="Rofe"/>	
* E-mail	<input type="text" value="robertrofe@hotmail.co.uk"/>	
Main telephone number	<input type="text" value="+44 07473478805"/>	Include country code.
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.

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	<input type="text" value="12606277"/>	
Business name	<input type="text" value="Ford holdings Ltd"/>	If your business is registered, use its registered name.
VAT number	<input type="text" value="GB"/> <input type="text" value="359785825"/>	Put "none" if you are not registered for VAT.
Legal status	<input type="text" value="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

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

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

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="15"/>
Street	<input type="text" value="New Street"/>
District	<input type="text"/>
City or town	<input type="text" value="Appledore"/>
County or administrative area	<input type="text" value="Bideford"/>
Postcode	<input type="text" value="EX39 1qj"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text" value="robertrofe@hotmail.co.uk"/>										
Telephone number	<input type="text" value="07473478805"/>										
Other telephone number	<input type="text"/>										
* Date of birth	<table><tr><td><input type="text" value="20"/></td><td>/</td><td><input type="text" value="05"/></td><td>/</td><td><input type="text" value="1987"/></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	<input type="text" value="20"/>	/	<input type="text" value="05"/>	/	<input type="text" value="1987"/>	dd		mm		yyyy
<input type="text" value="20"/>	/	<input type="text" value="05"/>	/	<input type="text" value="1987"/>							
dd		mm		yyyy							
* Nationality	<input type="text" value="Brittish"/>										

[Documents that demonstrate entitlement to work in the UK](#)

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?	<table><tr><td><input type="text" value="01"/></td><td>/</td><td><input type="text" value="11"/></td><td>/</td><td><input type="text" value="2020"/></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	<input type="text" value="01"/>	/	<input type="text" value="11"/>	/	<input type="text" value="2020"/>	dd		mm		yyyy
<input type="text" value="01"/>	/	<input type="text" value="11"/>	/	<input type="text" value="2020"/>							
dd		mm		yyyy							
If you wish the licence to be valid only for a limited period, when do you want it to end	<table><tr><td><input type="text"/></td><td>/</td><td><input type="text"/></td><td>/</td><td><input type="text"/></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>	dd		mm		yyyy
<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>							
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.

Small bar & restaurant providing eat in and takeaway meals. off sales of alcohol to be consumed at home.

Continued from previous page...

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

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☐ Yes ☒ No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

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

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☐ Yes ☒ No

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

Continued from previous page...

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

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.

playing recorded background music through stereo system.

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.

Continued from previous page...

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.

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☐ Yes ☐ No

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

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

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Continued from previous page...

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

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations

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

Continued from previous page...

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.

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

Name

First name	<input type="text" value="Robert"/>										
Family name	<input type="text" value="Rofe"/>										
Date of birth	<table><tr><td><input type="text" value="20"/></td><td>/</td><td><input type="text" value="05"/></td><td>/</td><td><input type="text" value="1987"/></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	<input type="text" value="20"/>	/	<input type="text" value="05"/>	/	<input type="text" value="1987"/>	dd		mm		yyyy
<input type="text" value="20"/>	/	<input type="text" value="05"/>	/	<input type="text" value="1987"/>							
dd		mm		yyyy							

Enter the contact's address

Building number or name	<input type="text" value="15"/>
Street	<input type="text" value="New St"/>
District	<input type="text"/>
City or town	<input type="text" value="Appledore"/>
County or administrative area	<input type="text" value="Devon"/>
Postcode	<input type="text" value="EX39 1QJ"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LAPER/00658/17"/>
Issuing licensing authority (if known)	<input type="text" value="Torridge"/>

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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

09:00

End

02:00

Start

End

TUESDAY

Start

09:00

End

02:00

Start

End

WEDNESDAY

Start

09:00

End

02:00

Start

End

THURSDAY

Start

09:00

End

02:00

Start

End

FRIDAY

Start

09:00

End

02:00

Start

End

SATURDAY

Start

09:00

End

02:00

Start

End

SUNDAY

Start

09:00

End

02:00

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...

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.

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.

b) The prevention of crime and disorder

CCTV will be installed, operated and maintained.
CCTV images will be retained for 2 weeks.
The CCTV system will be operational at all times.
Warning notices will be displayed in public areas of the premises and at all entrances advising that CCTV is in operation.
incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded.
No one carrying open or sealed bottles or glasses will be admitted to the premises at any time.
No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.

c) Public safety

standards for the management of responsible drinks promotions will follow guidance produced by the British Beer and Pub Association.
All staff will receive appropriate training about emergency and general safety precautions and procedures.
Before the premises opens it will be checked for the public to ensure there are no risks to patrons and that all safety precautions are in place.
Free drinking water will be made available at all times the premises is open to the public.
All bottles and glasses and rubbish will be removed from public areas on a regular and frequent basis.
The electrical system at the premises, including portable appliances will be inspected and tested annually by a competent person and a satisfactory safety report obtained. A competent person will be a suitably qualified electrician who is registered with the ECA or NICEIC.
The gas system, including appliances, will be inspected annually and tested by a Gas Safe Registered engineer and a satisfactory Gas Safety Certificate must be obtained.
All safety certificates and inspection reports will be kept on site and made available for inspection by officers of relevant

Continued from previous page...

statutory bodies.

The fire safety measures provided on the premises will be maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with the Regulatory Reform (Fire Safety) Order 2005.

An adequate and appropriate supply of first aid equipment and materials must be available on the premises.

d) The prevention of public nuisance

Staff will regularly patrol the premises both indoors and out to supervise the orderly conduct of patrons.

Prominent, legible notices requesting people to leave the premises and the area quietly will be displayed at all exits.

Staff will be instructed to control the volume of regulated entertainment taking place at the premises.

Suitable signage will be displayed in the garden areas requesting patrons to respect the amenities of local residents.

Where outside areas are provided for the use of patrons facilities for the disposing and collecting of litter will be maintained.

e) The protection of children from harm

A challenge 25 policy must be employed where those individuals who appear to be under the age of 25 attempting to purchase alcohol must be asked for identification. The only type of ID that will be accepted is PASS accredited ID, passport or photo driving license.

Restrictions on the admission of children to the premises will be displayed outside the premises.

Section 19 of 21

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

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 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

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.

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 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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

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

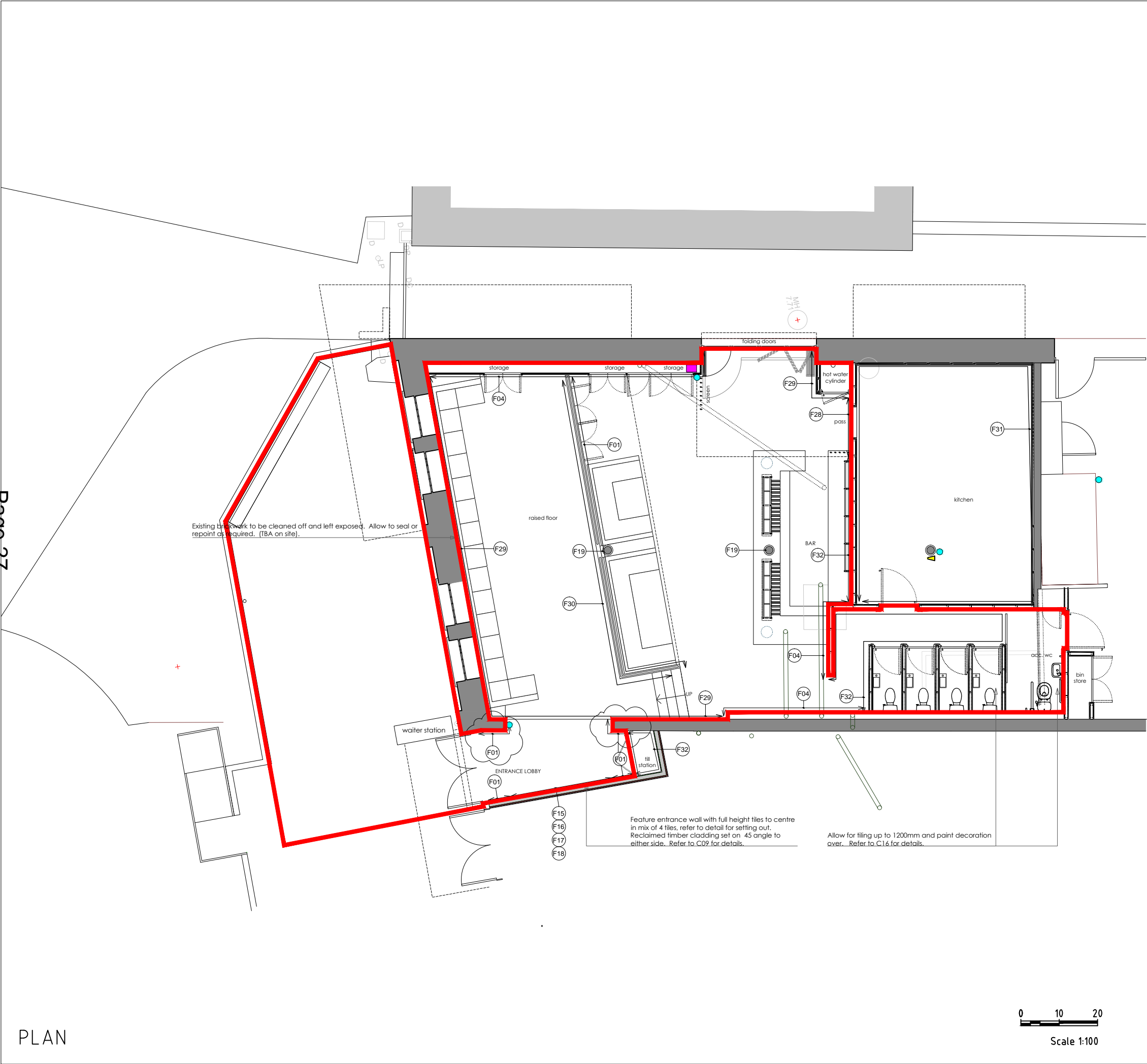
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/exeter/apply-1> to upload this file and continue with your application.

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

Continued from previous page...

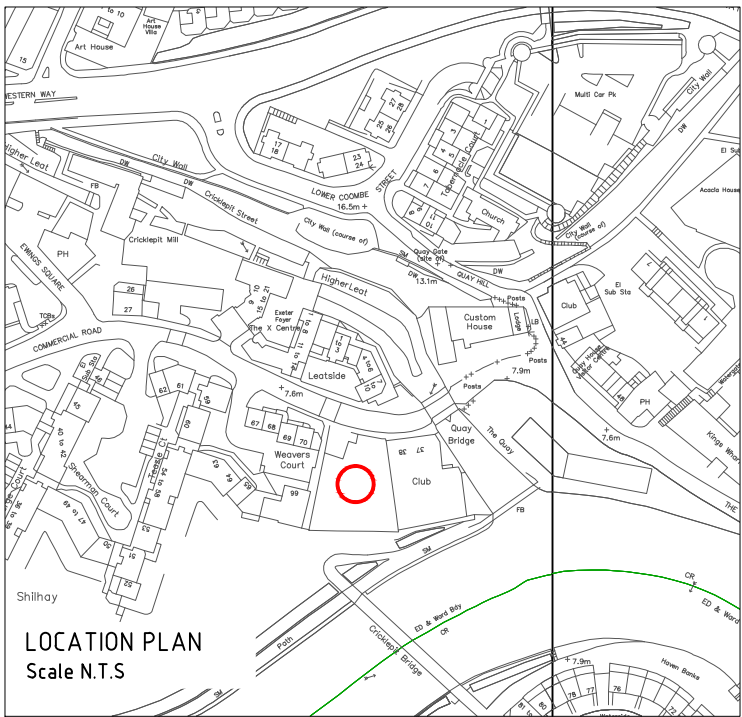
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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



PLAN

DO NOT SCALE



- FIRE EXTINGUISHER
- ▲ FIRE BLANKET
- FIRE ALARM
- LICENSING ACTIVITY

A	FOR INFORMATION	AT	AT	RR	09/11/2020
ISSUE	DESCRIPTION	DRN	CKD	APPD	DATE

NOTES -
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE. ALL LEVELS ARE IN METRES AND NEEDS TO BE CONFIRMED ON SITE BEFORE CONSTRUCTION.
2. ALL MAPPING IS SHOWN AS INDICATED LEFT UNLESS NOTED OTHERWISE.
3. PRELIMINARY / FOR INFORMATION AND TENDER STAGE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION.
4. THIS DRAWING IS NOT INTENDED TO SHOW DETAILS OF FOUNDATIONS, GROUND CONDITIONS OR CONTAMINANTS. ANY SUSPECTED CONTAMINATION FOUND BY THE CONTRACTOR IS TO BE REPORTED AND FURTHER INVESTIGATED BY A SUITABLE EXPERT APPOINTED BY THE CONTRACTOR.
5. THE CONTRACTOR IS TO VERIFY DETAILS OF EXISTING SERVICES, ALL GROUND LEVELS AND BUILDING / SITE DIMENSIONS ALONG PROPOSED PIPE ROUTES PRIOR TO CONSTRUCTION.
6. SETTING OUT TO BE BASED ON INFORMATION SHOWN ON THE DEVELOPER'S DRAWINGS.

SITE ADDRESS: PREMISES PLAN

W/O / ELLIPSE NUMBER

BUDGET

SITE COMPLETION DATE

R&M
Utility & Civil Engineering Services

STATUS: FOR INFORMATION

CLIENT

PROJECT

TITLE

SCALE @ BELOW	R&M DRAWING NO.	REVISION
1:100		A
A3	(Sheet 1 of 01)	

This drawing is confidential and the property of R&M Ltd. and must not be reproduced in any form, including manufacture of the product shown therein, without prior written consent of the copyright owners.

DRAWING FILE PATH - C:\USERS\VRM\DESKTOP

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**Representation to the Exeter City Council Licensing Authority
Re Ford Holdings application (038297) for a Premises License
At Unit 2, 38 Commercial Road, Exeter, Devon, EX2 4AE**

I urge you to consider the following aspects of this application, which is intending to trade under the name of "Ganbeis":

1) The Quay is both a popular tourist and leisure destination and, together with the [REDACTED] with many flats and houses on both sides of the river. Furthermore the acoustics of The Quay are such that any sound echoes loudly across the river.

The licence should therefore limit its opening hours to close by midnight, not 2am as requested, so as not to create a disturbance from high-spirited customers on their way home from these premises while residents are sleeping. This has been recognised by the other catering premises in this area, which generally have opening hours which finish by midnight. For example Puerto Lounge in the same building opens as follows:

Open Hours:

Sunday to Wednesday To 23:30

Thursday to Saturday To 00:00

New Years Eve To 00:00

Supply of alcohol for consumption ON the premises only:

Sunday to Wednesday To 23:00

Thursday to Saturday To 00:00

New Years Eve To 00:00

2) We have experienced trouble with inebriated people continuing their drinking exuberantly on the grass verge outside our house after hours, urinating, vomiting and defecating [REDACTED]. We would **strongly object to off-sales of alcohol**, which would further enable such unacceptable behaviour.

3) In the interview in the Exeter Express & Echo of Ganbeis (<https://www.devonlive.com/whats-on/food-drink/brand-new-restaurant-opening-exeter-4704552>) they tell us that they are focussing on the Asian market. In Chinese culture the word Ganbei (literally Mandarin for "bottoms-up") means a drinking custom where drinkers are pressurised into drinking alcohol to excess, as explained in this web link: <https://www.chinaeducationaltours.com/guide/article-ganbei-chinese-drinking-culture.htm>

With any premises licence, such drinking games are prohibited, to comply with the Licensing Act. In the particular circumstances surrounding this application, this prohibition should go further, and **the supervisor made responsible for preventing any drinking games that customers might initiate and the licence should exclude the sale of spirits by the bottle that can be used in such games.**

4) The above interview contemplates the sale of hot takeaway food (See attached), as does the banner currently advertising their opening. The sale of hot takeaway food on The Quay would be a retrograde step for this prime family tourist area, Not only would it directly detract from the atmosphere, but the litter created by people eating takeaways on the hoof, rather than taking the food away to consume at home, would further detract from the area. Furthermore the inevitable discarded food, whether accidental or deliberate, would result in a significant increase in the pigeons and gulls on The Quay, which are already a nuisance. None of the other catering premises on The Quay sell hot takeaway food, other than ancillary to their restaurant business, and **a condition of the refreshment licence for Ganbeis should exclude any over-the-counter hot takeaway food service.**

5) The applicant is a dormant company, formed earlier this year as a holding company (<https://find-and-update.company-information.service.gov.uk/company/12606277>), not an operating company, and so can avoid any liability arising from the operation of the premises by simply doing nothing. Both the owner of the applicant company, Glynn Ford, and the person controlling the property owning company, Ian Mitchell, have other companies behind them that have never traded, were dormant and have then been struck off. **The authority should determine which entity or person will actually be operating Ganbeis, and only consider the issue of a licence to such entity or person.**



Representation to Exeter City Licensing Committee

I am writing [REDACTED], which is copied below for ease of reference.

[REDACTED], I would like to add my concern that drunk people staggering along the Quay and falling into the water are likely to drown. I watched one such person earlier this year, who came perilously close to falling in one evening, and thought then how dangerous it was to have the off-sales of alcohol on the Quay during the lockdown. I have never before seen such appalling behaviour on the Quay as I saw this year. The Quay is not a suitable place for a takeaway outlet, either of food or alcohol.

We also have many students in Exeter who would be familiar with the culture of Ganbei, and I have no desire to see any instances of young people drowning because thought has not been given to this serious potential consequence of endorsing and encouraging unlimited, rapid consumption of alcohol.

Regards

[REDACTED]

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Ganbeis
Unit 2 Commercial Road
Exeter
EX2 4AE

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The *Challenge 25 scheme* in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by *the premises licence certificate* issued under the Licensing Act 2003 and conditions attached to the *licence*
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, Under-age or appears to be under-age, or appears to be making a proxy purchase.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than *6 Monthly* intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All ejections of patrons
- iv. Seizures of drugs or offensive weapons
- v. Any faults in the CCTV system
- vi. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

The premises shall install, operate and maintain a digital colour CCTV system to the satisfaction of the Police and Local Authority. As a minimum, the system must:

be fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document <https://ico.org.uk/fororganisations/guide-to-data-protection/cctv/> (or any renewed equivalent guidance which is subsequently issued).

- i. Cover all public areas of the licensed premises, including entry and exit points. This also includes any outside areas under the control of the premises licence holder.
- ii. Record clear images permitting the identification of individuals and in particular enable a clear head and shoulder image of every person entering and leaving in any light condition.
- iii. Continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
- iv. Have a constant and accurate time and date generation.
- v. Store recordings for a minimum period of 31 days with date and time stamping.
- vi. Viewable copies of recordings will be provided on request to the police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)

Any licensed outdoor areas of the premises must not be used by customers after 23:00 hours.

All alcohol sold by the premises as an off sale, shall be supplied in sealed containers and notices shall be prominently displayed at the point of sale advising customers not to consume alcohol within the PSPO area.

No customers will be permitted to take open containers of alcoholic drinks from the premises.

Customers must not be allowed to bring their own alcohol for consumption on the premises.

The premises licence holder must remain vigilant against any nuisance being caused. Taking any necessary precautions.

Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.

All staff shall be trained in the legality and procedure of alcohol sales, using the SWERCOTS on-line training pack or equivalent, prior to undertaking the sale of alcohol and then at least every six months. Training shall be signed and documented, and training records will be kept on the premises and be made available to an authorised officer of a responsible authority on request. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a *Challenge 25* proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

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Neil Gardiner

From: ADAMS-LEACH David 53340 <David.ADAMS-LEACH@devonandcornwall.pnn.police.uk>
Sent: 17 December 2020 09:07
To: Licensing Team
Subject: New Premises Licence, Ganbeis, Unit 2, Commercial Road, Exeter, EX2 4AE
Attachments: RE: Ganbeis; Ganbeis Conditions.pdf

Good Morning,

In regards to the application for a new premises licence for the above address, please find attached agreed conditions between the applicant and myself which will replace what has been applied for.

Please also note that we have also agreed to amend the timings as below:

Recorded Music (Indoors)

09:00 – 01:00 hrs, Mon to Saturday

09:00 - 00:00 hrs Sunday

Late Night Refreshment (on and off)

23:00 – 01:00 hrs, Mon to Saturday

23:00 – 00:00 Sunday

Alcohol (On & Off sales)

09:00 – 00:30 hrs , Mon to Saturday

09:00 – 23:30, Sunday

Hours Open to the Public

09:00 – 01:00 , Mon to Saturday

09:00 – 00:00, Sunday

Also attached is an email from the applicant agreeing to the changes.

Kind Regards

Dave Adams-Leach

Licensing Officer
Drug and Alcohol Harm Reduction
Alcohol Licensing Prevention Department
Devon and Cornwall Police
Exeter
Telephone: 07730929655



Devon & Cornwall Police
Building safer communities together



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Home Office

SELLING ALCOHOL RESPONSIBLY:

Good Practice Examples from the Alcohol Retail and Hospitality Industries

The Mandatory Code for Alcohol Retailers England and Wales

April 2010

Contents

Ministerial Foreword	1
Examples of Good Practice	2
Preventing Underage Sales	3
Building Strong Community Partnerships	5
Taking a Socially Responsible Approach	8
Keeping Staff and Customers Safe	9
Supporting National Communications Campaigns	11
Portman Group	12
Key Contacts	13

Ministerial Foreword



Alcohol is an important part of our culture. Most individuals drink responsibly and most hospitality businesses and alcohol retailers sell alcohol responsibly. However, there are a minority of people whose drinking leads to crime and disorder and a minority of licensed premises who do not take their responsibilities seriously when selling alcohol. We want the night time economy to be a safe place for the responsible majority to enjoy.

Alcohol-related crime has fallen by a third since 1997, but at a cost of £8-£13 billion per year, it remains unacceptably high. That is why we have introduced a range of new tools and powers to tackle problem drinkers, such

as Drink Banning Orders and Directions to Leave, and why Government has decided to introduce five new mandatory licensing conditions to bring an end to irresponsible promotions, to ban pouring alcohol directly into the mouths of customers, and to ensure that age verification policies are in place, free tap water is provided and small measures are available to customers.

Alongside the introduction of these new conditions, it is important to acknowledge the excellent work that those who retail alcohol are already doing to contribute to the four licensing act objectives: namely to prevent crime and disorder, prevent public nuisance, protect public safety and protect children from harm.

We want more businesses to learn from these examples and to adopt these effective schemes.

This resource has been developed by the Home Office, in partnership with organisations from the hospitality and alcohol retail industry and stakeholders in alcohol policy.

I want to emphasise the point that good partnership working at local level, that involves local businesses, is vital - not only in making these good practice examples work, but also in developing new responses and tackling the problem of alcohol related crime and disorder in the night time Economy.

A handwritten signature in black ink that reads "Alan Campbell". The signature is written in a cursive, flowing style.

Alan Campbell

Parliamentary Under Secretary of State for Crime Reduction

Examples of Good Practice

This document sets out initiatives and schemes that are examples of good practice in alcohol retailing. We have given a brief summary of the aims and actions for each example and then provided a signpost to where to find out more information or to sign up.

It is important to acknowledge the differences between types of premises, such as their size, type of licence, and location etc. As a result, for example, an out of town 24-hour supermarket may well have different needs to a city centre pub.

This list is not exhaustive, but does give a good idea of the schemes you can be part of, or of practice that you can adopt.

Preventing Underage Sales

Challenge 21



Since 2006, the Challenge 21 scheme has been raising awareness among publicans and their staff of the need to be vigilant in preventing underage sales. The scheme serves as a reminder to customers that it is against the law to purchase alcohol if you are under 18, or to purchase alcohol on behalf of someone who is under 18. If you appear to be under 21, you can expect to be asked to prove your age.

Research has shown that 90% of 18-24 years olds are aware of the Challenge 21 scheme, demonstrating the success of the scheme amongst its key target group. Pubs turn away over one million customers each month who, when challenged, are unable to provide acceptable proof of age - clearly indicating the trade is making a huge effort to enforce the law and prevent underage sales.

To order materials or download posters from BBPA, click here:

www.beerandpub.com/industryArticle.aspx?articleId=85

To order the posters in Welsh, click here:

www.ceredigion.gov.uk/utilities/action/act_download.cfm?mediaid=13583

Challenge 25



Challenge 25 was developed by The Retail of Alcohol Standards Group (RASG) to give staff serving alcohol a wider margin of protection to ensure that alcohol is not sold to anyone under 18. A Challenge 25 policy means that customers who look as though they are under 25 are asked by store staff to show proof that they are over 18.

The design is available in several formats, from posters to shelf barkers to badges, to reinforce the message throughout the store. There are also a range of signs to inform consumers about the penalties for buying alcohol underage and proxy purchasing.

The signage is used throughout RASG member stores and RASG have made the designs available to non- member retailers on the Wine and Spirit Trade Association website. Signage is also available in Welsh and for Scottish licenced premises.

You can find more details or download posters and resources at:

www.wsta.co.uk/Challenge-25.html

and

www.acs.org.uk/en/Advice/advice_guides/responsible_retailing/

PASS Scheme

PASS

The Proof of Age Standards Scheme (PASS) was launched in 2003 to bring in a common standard, an easily recognisable identity and a robust accreditation process to help protect retailers of age-related products, and their employees from the many fake ID cards used throughout the country.

Retailers face a constant problem of trying to identify what is a genuine proof-of-age card versus a fraudulent one. A PASS accredited card allows them to be confident that the ID is genuine when they see the unique PASS hologram.

PASS is the UK's national guarantee scheme for proof-of-age cards backed by the Government and supported by authoritative organisations, including the Association of Chief Police Officers (ACPO) and the Trading Standards Institute (TSI). The scheme is also supported by the main trade associations connected with those selling age-restricted products. Over 2 million young people currently carry PASS accredited proof-of-age cards, all bearing the distinctive PASS hologram.

To find out more, click here:

www.pass-scheme.org.uk/

Building Strong Community Partnerships

Best Bar None



Best Bar None is a recognised award scheme supported by the Home Office, aimed at promoting the responsible management and operation of alcohol-licensed premises. It has been adopted by over 95 towns and cities across the UK and is even now being taken up in other countries.

Best Bar None schemes provide an incentive for the operations of licensed premises to improve their standards of operation to the level of a commonly agreed national benchmark. It has proved to be an excellent vehicle for partnership working as it provides:

- An incentive for operators to improve their standards
- Licensees the chance to show how well they manage their businesses
- A reference point for authorities to work with local pubs and clubs in tackling crime and disorder issues.

It sets a minimum standard of operation and encourages the sharing of best practice by rewarding safe and well-managed licensed venues. An evaluation carried out in 2009 of 40 BBN schemes showed that BBN is one of the major contributors to reducing crime in their areas and substantially helps towards the solution of alcohol related crime in the night time economy. Early indications of statistics show a 15-35% reduction in local area crime statistics.

To join the Best Bar None scheme, click here:

www.bbuk.com/images/stories/pdfs/2009%20scheme%20guidelines%20%26%20application%20form%20-%20on%20licence.doc

Purple Flag



Purple Flag is an award given to an area based on an objective assessment of five key elements of that area at night.

Purple Flag has been developed in conjunction with the Home Office, Department of Communities and Local Government, Department for Culture, Media and Sport, Association of Chief Police Officers, British Institute of Innkeepers, BCSC Educational and Research Trust, Noctis, BBPA, Institute of Licensing, Business In the Community, Keep Britain Tidy, Kingston First and LACORS. It is led by the Association of Town Centre Management (ATCM).

For more information, click here:

www.atcm.org/purple-flag/index.php

Or to fill in the application form, click here:

www.atcm.org/purple-flag/1-purple-flag-entry-form.doc

Community Alcohol Partnerships



Community Alcohol Partnerships were developed by the Retail of Alcohol Standards Group and local partners to address underage drinking.

Community Alcohol Partnerships aim to tackle the problems caused by underage access to alcohol through co-operation between alcohol retailers and local stakeholders, such as Trading Standards, police, local authority licensing teams, schools and health networks.

The largest CAP so far, run with Kent County Council, was independently evaluated by Kent University, who found that pilot areas saw a substantial reduction in criminal damage and that anti-social behaviour fell in six out of seven measures.

CAP officer, Philip Loring, manages the established Community Alcohol Partnerships and works with Local Authorities to develop new partnerships in their areas.

More information can be found at:

www.communityalcoholpartnerships.co.uk.

Community Engagement Good Practice Guide



Noctis (in conjunction with Diageo) have produced a short practical guide to producing good partnerships in the Night Time Economy between operators, local authorities and police at local level.

You can download this here:

www.noctisuk.org/download/56029/noctisgpguide%20final.pdf

Business Improvement Districts



A Business Improvement District (BID) is a locally funded scheme to introduce real improvements to a business area and its local community – set up with the democratic agreement of local businesses. A BID must provide real additional local services for the area, with local businesses agreeing on the improvements that need to be made, the specific measures needed to achieve them, and how much businesses should pay.

There are many local improvements that can be funded through BIDs. These can include better and more frequent policing, installation of CCTV cameras, more litter bins and rubbish collections, and schemes to ensure rapid response to graffiti and litter, replacing street lamps, mending pavements and investment in the visual appearance of the area, such as trees and other planting. There are few limits on what type of improvements can be provided. BIDs can provide local training and employment schemes, for example, or more frequent local transport. By putting property owners in control, they are an excellent tool for the improvement of town centres. BIDs are funded through a levy on the rateable value of businesses involved in the scheme. Some areas focus their BID on the night time economy, whilst other examples include tourism and shopping.

Find out more here:

www.ukbids.org/

Pub is the Hub



Pub is the Hub was initiated by HRH The Prince of Wales in 2001, as President of Business in the Community. It is part of the Rural Action Programme and is a 'not for profit' advisory organisation.

Pub is the Hub encourages rural pub owners, licensees, and their local communities to work together to support, retain and locate local services where possible within the pub whilst often improving the viability of the business itself. Pub is the Hub assists with guidance on the availability of local and regional project funding, and having a thorough understanding of the pub business, is able to advise on the best way to progress with each individual project.

It works across England and Wales on projects ranging from providing local shops to encouraging the local sourcing of products, accommodating Post Office services, providing local school meals, IT training or community centres.

For more details, click here:

www.pubisthehub.org.uk/

You can download their good practice guide here:

www.pubisthehub.org.uk/assets/downloads/PITH_Good_Practice_Guide.pdf

BBPA Partnerships Initiative



The BBPA Partnerships Initiative has been developed in order to respond positively and effectively to local authorities seeking representation from trade association member companies, and formalise the BBPA's approach to working in partnership at local level.

The Initiative is voluntary, and simply provides a mechanism to find local industry representatives for local Crime Reduction Partnerships that have requested industry input, so that they can contribute to the development of policy and strategy on public order issues.

BBPA member companies have supported the initiative by nominating key individuals from their organisations to become involved in dialogue on crime and disorder with partners at local level.

You can download the BBPA Partnerships Guidance by clicking here:

www.beerandpub.com/documents/publications/industry/BBPA_Guidance_for_Industry_Representatives.pdf

Taking a Socially Responsible Approach

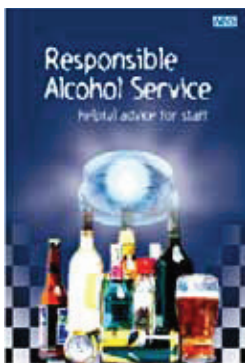
Crisis Management Policy

Noctis have produced a useful checklist of what is needed to run a good, corporately socially responsible business - and what to do if a crisis occurs in your business.

To download the document, click here:

noctis.net-genie.co.uk/_download/39482/noctis%20poppleston%20allen%20crisis%20management%20paper%20june%202008.pdf

Server Training



There is good evidence of the impact that good server training can have on reducing crime and disorder, underage sales and sales to drunks.

Induction and development programmes ensure that staff have the skills and confidence to meet legal requirements and their wider responsibilities. Training is needed at all levels - bar staff, supervisory, site manager, and district manager.

One example, from Manchester, is available to download here:

www.manchesterpubandclub.co.uk/responsible-alcohol-service/

Keeping Staff and Customers Safe

PubWatch



National PubWatch is a voluntary organisation set up to support existing local PubWatch schemes and encourage the creation of new ones. Local PubWatch schemes are run by licensees and provide a forum in which they can exchange information. The BBPA funds National PubWatch and remains committed to raising the profile of National PubWatch and awareness of its work.

It is good practice to actively encourage all managers to join and participate in their local PubWatch scheme, which is an excellent means to build relationships at a local level between the licensed trade and the authorities to the benefit of the local community.

PubWatch have launched a Best Practice Guide that deals with starting and running watches, and a special pager scheme, 'Pub alert'. The PubWatch Guide and its revised editions has proved very successful with nearly 3,500 copies supplied to licensees, police, town centre managers and watch co-ordinators throughout the country with requests still coming in every week.

To find your nearest PubWatch contact, or to set up a new scheme, click here: www.nationalpubwatch.org.uk/contact.htm

To request a copy of the PubWatch good practice guide, email:
userrequest@nationalpubwatch.org.uk

Managing Safety in Bars, Clubs and Pubs



This BBPA document provides guidance to assess the risk of violence in individual licensed premises, based on existing good practice.

You can download this by clicking here:
www.beerandpub.com/documents/publications/industry/Managing_Safety_in_Bars_Clubs_&_Pubs_Final_PDF.pdf

Safer Nightlife

Produced by the alcohol industry, London Drug Policy Forum and the Home Office, Safer Nightlife promotes best practice for all those working in the Night Time Economy. In particular it is aimed at:

- licensing authorities;
- police and fire officers;
- venue managers/promoters; and
- health promotion workers.

The purpose of Safer Nightlife is to help ensure the health and safety of everyone involved in, and going out to, events in pubs and clubs with particular emphasis on those who also take drugs. The document provides dedicated advice on a range of key issues including creating a safe physical environment, tackling drug dealing, reducing harm from drug use, promoting sexual health and developing a drug policy.

You can download this by clicking here:

www.cityoflondon.gov.uk/NR/rdonlyres/E4E0FE3A-9F8E-4182-AFBF-31C83E74C03A/0/SS_LDPF_safer_nightlife.pdf

Licensed Property: Security in Design



The British Beer & Pub Association and the Metropolitan Police Service have produced a document called, “Effective Licensed Property Security Systems”. This booklet focuses on designing an environment that minimises opportunities for crime.

You can download this here:

www.beerandpub.com/documents/publications/industry/Security_in_design.pdf

Dispersal Policy

Noctis have produced a good practice guide outlining some useful pointers when considering implementing a dispersal policy.

You can download this here:

noctis.net-genie.co.uk/_download/39481/noctis%20dispersal%20policy%20headed.pdf

Drugs and Pubs

The BBPA have produced a useful guide on helping to keep drugs out of licensed premises and how to deal with incidents.

To download the guidance, click here:

www.beerandpub.com/documents/publications/industry/Drugs_and_Pubs.pdf

Supporting National Communications Campaigns

Drinkaware Trust

drinkaware

Drinkaware provides consumers with information to make informed decisions about the effects of alcohol on their lives and lifestyles. Their public education programmes, grants, expert information and resources help create awareness and affect positive change. An independent charity established in 2007, Drinkaware works alongside the medical profession, the alcohol industry and government to achieve its goals.

Drinkaware resources are disseminated to individuals, health-care and education providers, as well as armed forces, youth and community groups.

You can find out more information or download resources from here:

www.drinkaware.co.uk/

Campaign for Smarter Drinking



The £100 million social marketing campaign, with the theme, 'why let good times go bad?' will run for at least five years. For the first time, over 45 companies from the drinks industry have come together to work with Government and Drinkaware to tackle binge drinking among 18-24 year olds.

You can find out more information or download resources from here:

www.drinkaware.co.uk/features/homepage/recent/why-let-good-times-go-bad

Portman Group



The Portman Group's Code of Practice on the Naming, Packaging and Promoting of Alcoholic Drinks was established in 1996. The Code seeks to ensure that drinks producers market their products in a socially responsible way and only to an adult audience.

The Code regulates all pre-packaged alcoholic drinks marketed for sale in the UK. The Code applies to a drink's name and packaging, press releases, websites, sponsorship, sampling, branded merchandise, advertorials and all other drinks producer marketing, apart from advertising which is regulated by the Advertising Standards Authority.

The Code prohibits the marketing of alcoholic drinks to under-18s; the alcohol content of a drink must be made absolutely clear; its alcoholic strength should not be dominant; it must not encourage rapid or down-in-one drinking; there must be no association with illegal drugs, bravado, aggression or anti-social behaviour and any suggestion that the drink will lead to sexual success or increased popularity is also banned.

All Code complaints go to an Independent Complaints Panel. Several products have been completely removed from sale by retailers in support of the Panel's decisions. This sanction gives the Code teeth. The Portman Group also runs a free and confidential Code Advisory Service to help drinks producers and their marketers stay on the right side of the Code.

You can download a copy of the Code at:

www.portmangroup.org.uk/assets/documents/4th%20Ed%20of%20Code.pdf

Key Contacts



Advertising Standards Authority

Mid City Place, 71 High Holborn
London WC1V 6QT
020 7492 2222

Email: enquiries@asa.org.uk



Association of Licensed Multiple Retailers

9b Walpole Court, Ealing Studios, London, W5 5ED
020 8579 2080

Email: info@almr.org.uk



Association of Convenience Stores

Federation House
17 Farnborough Street
Farnborough, Hampshire GU14 8AG
01252 515001



Association of Town Centre Managers

1 Queen Anne's Gate, Westminster, London
SW1H 9BT
020 7222 0120

Email: info@atcm.org



British Beer & Pub Association

Market Towers
1 Nine Elms Lane
London SW8 5NQ
020 7627 9191

Email: web@beerandpub.com



British Institute of Innkeeping

Wessex House, Park Street, Camberley, Surrey GU15 3PT
01276 684449

www.bii.org/home



Federation of Licensed Victuallers Associations

126 Bradford Road, Brighouse, West Yorkshire HD6 4AU
01484 710534

Email: admin@flva.co.uk



National BIDs Advisory Service

www.ukbids.org
0207 227 3464



National Pubwatch

PO Box 498
Crewe
CW1 9ER
01270 213399
[Email: admin@nationalpubwatch.org.uk](mailto:admin@nationalpubwatch.org.uk)



Noctis

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THE WINE AND SPIRIT TRADE ASSOCIATION

The Wine and Spirit Trade Association

International Wine & Spirit Centre
39 - 45 Bermondsey Street
London SE1 3XF
020 7089 3877

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