

## LICENSING SUB-COMMITTEE

**Date:** Thursday 23 May 2024

**Time:** 9.30 am

**Venue:** Bad Homburg Room, Civic Centre, Paris Street, Exeter

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

If you have an enquiry regarding any items on this agenda, please contact Pierre Doutreligne, Democratic Services Officer (Committees) on 01392 265486 or email [committee.services@exeter.gov.uk](mailto:committee.services@exeter.gov.uk)

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

*Membership -*  
Councillors Bennett, Holland and Snow

### Agenda

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

1 **Appointment of Chair**

To appoint a Chair for the meeting.

2 **Declarations of Interest**

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

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

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

**“RECOMMENDED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) on the grounds that it (they) involve the likely disclosure of exempt information as defined in paragraph(s) of Part I of Schedule 12A of the Act.”

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 items and on the grounds that if 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 - 66)

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

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

#### **5 Application to Renew a Private Hire Licence Relating to a Vehicle over 10 years old**

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 67 - 130)

### **TOWN POLICE CLAUSES ACT 1847**

#### **6 Hearing to Determine Whether a Holder of a Hackney Carriage / Private Hire Drivers Licence is a fit and proper person to hold a licence**

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 131 - 150)

#### **7 Hearing to Determine Whether an Applicant for a Hackney Carriage / Private Hire Drivers Licence is a fit and proper person to hold a licence**

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 151 - 166)

**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:** 23 May 2024

**Report of:** Vicky Limb

**Type of Application:** Licensing Act 2003 application for the grant of a Premises Licence

**Premises:** 174 Sidwell Street Exeter

**Legislation:** Licensing Act 2003

**Ward of Premises:** Newtown St Leonards

**Applicant:** Damien Sluman

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

- 1.1 The application attached as Appendix A together with the plan has been received for the grant of a premises licence.
- 1.2 The Premises is situated in the city area of Exeter.

**2. Are there any representations?**

- 2.1 There have been 2 representations objecting to the Application relating to the Licensing Objectives of the Prevention of Public Nuisance, the Prevention of Crime and Disorder and Public Safety. The representations are from Environmental Health and Devon and Cornwall Constabulary. The representations are listed at Appendix B.
- 2.2 The end date for receiving representations was 22 April 2024.
- 2.3 In response to the objections the Applicant has agreed to conditions and amendments to timings within the Application and these are attached at Appendix C.
- 2.4 Environmental Health concerns are regarding the premises being within the area of the Exeter Public Space Protection Order 2022 (PSPO). The Applicant has specified that there will be a small amount of outside seating in the space directly out the front of the premises for consumption of food and drink purchased from the establishment. An instant breach of the PSPO would occur should the licence be granted as it is currently applied for.
- 2.5 The Applicant agreed to conditions regarding a Pavement Licence, however, these conditions should become part of a Pavement Licence should one be applied for under The Business and Planning Act 2020.
- 2.6 The representation from Devon and Cornwall Constabulary refers to the Premises being within the PSPO and Cumulative Impact Zone therefore the evidential burden is on the Applicant to show there will be no negative impact on the Licensing objective of prevention of Crime and Disorder.

- 2.7 No representations have been received from any other Responsible Authorities.
- 2.8 At the time of writing this report there has been no agreement with Environmental Health over concerns regarding live music until 01:00 and how the Applicant intends to control the noise levels.  
They have requested that the building structure is improved to provide sound proofing.

#### **Report details:**

- 3.1 The application was advertised on the Premises from 26 March until 22 April 2024 and in the local newspaper on 3 April 2024 in line with above legislation. The Premises advertisement is at Appendix D and the newspaper advertisement is at Appendix E.

#### **4. What are the legal aspects?**

- 4.1 The Licensing Sub-Committee are required to have regard to;
- 4.1.1 the representations (including supporting information) presented by all the parties; and
  - 4.1.2 the Official Guidance issued under section 182 of the Licensing Act 2003 revised December 2023 which can be viewed at: [Revised Guidance issued under section 182 of the Licensing Act 2003 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk); and
  - 4.1.3 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 As the Premises is located in the Cumulative Impact Zone there is a rebuttable presumption any application likely to add to the existing cumulative impact will normally be refused or subject to certain limitations following relevant representations, unless the Applicant can demonstrate in the operating schedule to the application that there will be no negative cumulative on the relevant Licensing Objectives.
- 4.4 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.

This page is intentionally left blank

## APPENDIX A

### Application for a premises licence to be granted under the Licensing Act 2003

#### Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Damien Mark Sluman

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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**

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
174 Sidwell St, Exeter EX4 6RH			
Post town	Exeter	Postcode	Ex4 6hr

Telephone number at premises (if any)	██████████
Business email (we must have an email)	████████████████████
Non-domestic rateable value of premises	£22,500

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as **Please tick as appropriate**

a)	an individual or individuals *	<input checked="" type="checkbox"/>	please complete section (A)
b)	a person other than an individual *	<input type="checkbox"/>	
	i as a limited company/limited liability partnership	<input type="checkbox"/>	please complete section (B)
	ii as a partnership (other than limited liability)	<input type="checkbox"/>	please complete section (B)
	iii as an unincorporated association or	<input type="checkbox"/>	please complete section (B)
	iv other (for example a statutory corporation)	<input type="checkbox"/>	please complete section (B)
c)	a recognised club	<input type="checkbox"/>	please complete section (B)
d)	a charity	<input type="checkbox"/>	please complete section (B)
e)	the proprietor of an educational establishment	<input type="checkbox"/>	please complete section (B)
f)	a health service body	<input type="checkbox"/>	please complete section (B)



g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) individual applicants** (fill in as applicable)

Mr	Other Title (for example, Rev)	
<b>Surname: Sluman</b>	<b>First names: Damien</b>	
<b>Date of birth</b> [REDACTED]	I am 18 years old or over	YES
<b>Nationality</b>	British	

Current residential address if different from premises address		<b>NOT FOR PUBLIC VIEW</b> [REDACTED]	
Post town	[REDACTED]	Postcode	[REDACTED]
Daytime contact telephone number		[REDACTED] [REDACTED]	
E-mail address (optional)	[REDACTED]		
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)			

**Second individual applicant** (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth	I am 18 years old or over		Please tick yes		
Nationality					

Current residential address if different from premises address			
Post town		Postcode	
<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)			

**(B) Other applicants**

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

Name
------

Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Please give a general description of the premises (please read guidance note 1)**

Bar/ restaurant with both on and off sales of food and drink (both alcoholic and non alcoholic)  
 Seating will be provided on the ground floor for an estimated 30-40 patrons and a small amount of outside seating in the space directly out the front of the premises for consumption of food and drink purchased from the establishment.  
 The first and second floor are only accessible to public for use of the WC with the rest of the space consisting of storage and kitchen.

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)		Please tick all that apply
a)	plays (if ticking yes, fill in box A)	
b)	films (if ticking yes, fill in box B)	
c)	indoor sporting events (if ticking yes, fill in box C)	
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	
e)	live music (if ticking yes, fill in box E)	X

f)	recorded music (if ticking yes, fill in box F)	X
g)	performances of dance (if ticking yes, fill in box G)	
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	X
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	X

**In all cases complete boxes K, L and M**

**A**

Plays Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					





**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Fri			
Sat			
Sun			



**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Both					
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		



**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	X			
				Outdoors				
				Both				
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4) Performance of music from acoustic acts only between specified hours.					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)		
Thur								
Fri	20:00	01:00						
Sat	20:00	01:00				<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sun								





**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	X
					Outdoors	
					Both	
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4) Amplified Background music for diners.  Karaoke and DJ restricted by rules outlined in section M sub section D  <b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)  <b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Mon	10:00	03:25				
Tue	10:00	03:25				
Wed	10:00	03:25				
Thur	10:00	03:25				
Fri	10:00	04:25				
Sat	10:00	04:25				
Sun	10:00	3:25				



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					



**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<b><u>Please give further details here</u></b> (please read guidance note 4)		
Wed					
Thur					
Fri			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)		
Sat					

			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>
Sun			

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	Y
Mon	23:00	03:00	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Tue	23:00	03:00			
Wed	23:00	03:00		<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)	
Thur	23:00	03:00			
Fri	23:00	04:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat	23:00	04:00		Lnr	
Sun	23:00	03:00			





J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises		
				Off the premises		
Day	Start	Finish		Both	Y	
Mon	10:00	03:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)			
Tue	10:00	03:00				
Wed	10:00	03:00				
Thur	10:00	03:00		<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)  New Years Eve – Deregulated		
Fri	10:00	04:00				
Sat	10:00	04:00				
Sun	10:00	03:00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b> Damien Mark Sluman	
<b>Date of birth</b> [REDACTED]	
[REDACTED]	
<b>Postcode</b>	[REDACTED]
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b> Exeter City Council	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	10:00	3:30	
Tue	10:00	3:30	

Wed	10:00	3:30	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p> <p>New Years Eve – Deregulated</p>
Thur	10:00	3:30	
Fri	10:00	04:30	
Sat	10:00	04:30	
Sun	10:00	3:30	

**M**

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

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

will consider advice from Responsible Authorities

**b) The prevention of crime and disorder**

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

- The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- Recognising the signs of drunkenness.
- 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.
- Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
- Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 month 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. Any complaints received
- v. Seizures of drugs or offensive weapons
- vi. Any faults in the CCTV system
- vii. 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.

A minimum of 1 SIA licensed door supervisors shall be on duty at the premises from 22:00 if the premises is open after midnight.

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:

- 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 facial recognition images (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 14 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)
- vii. The CCTV system will be capable of downloading images to a recognisable viewable format.
- viii. The CCTV system will capture a minimum of 4 frames per second.
- ix. The CCTV system will be fitted with security functions to ensure the integrity of the system and to prevent the tampering with and deletion of images (i.e. password protection).

### c) Public safety

**d) The prevention of public nuisance**

Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.

Where a specific taxi operator has been nominated for customers use, the company's telephone number will be advertised to customers. The operator will be advised that drivers should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily.

**e) The protection of children from harm**

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:

- i. A photo driving licence
- ii. A passport
- iii. 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.

No person under the age of 18 will be allowed into the premises after the hours of 21:00

No person under the age of 16 will be allowed access to the premises without being accompanied by someone over the age of 18.

**Checklist:**

Please tick to indicate agreement

•	I have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	X
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	X
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	X
•	I understand that I must now advertise my application.	X
• •	I understand that if I do not comply with the above requirements my application will be rejected. [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	X

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

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.

#### Part 4 – Signatures (please read guidance note 11)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[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</li> </ul>
--------------------	---



	<p>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 (please read guidance note 15).</p> <ul style="list-style-type: none"> <li>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, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	Damien Mark Slumen
Date	09/03/2024
Capacity	Owner/ Publican

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. 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:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - 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.
  - 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.
  - 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.
  - 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:
  - 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.
  - 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.
  - 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.

- 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:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - 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;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  4. For example the 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.
  5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  7. Please 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.
  8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
  9. Please 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 or the presence of gaming machines.
  10. Please list here steps you will take to promote all four licensing objectives together.
  11. The application form must be signed.
  12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
  13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
  14. This is the address which we shall use to correspond with you about this application.

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

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability 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 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 the right 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 which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 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).

**Home Office online right to work checking service.**

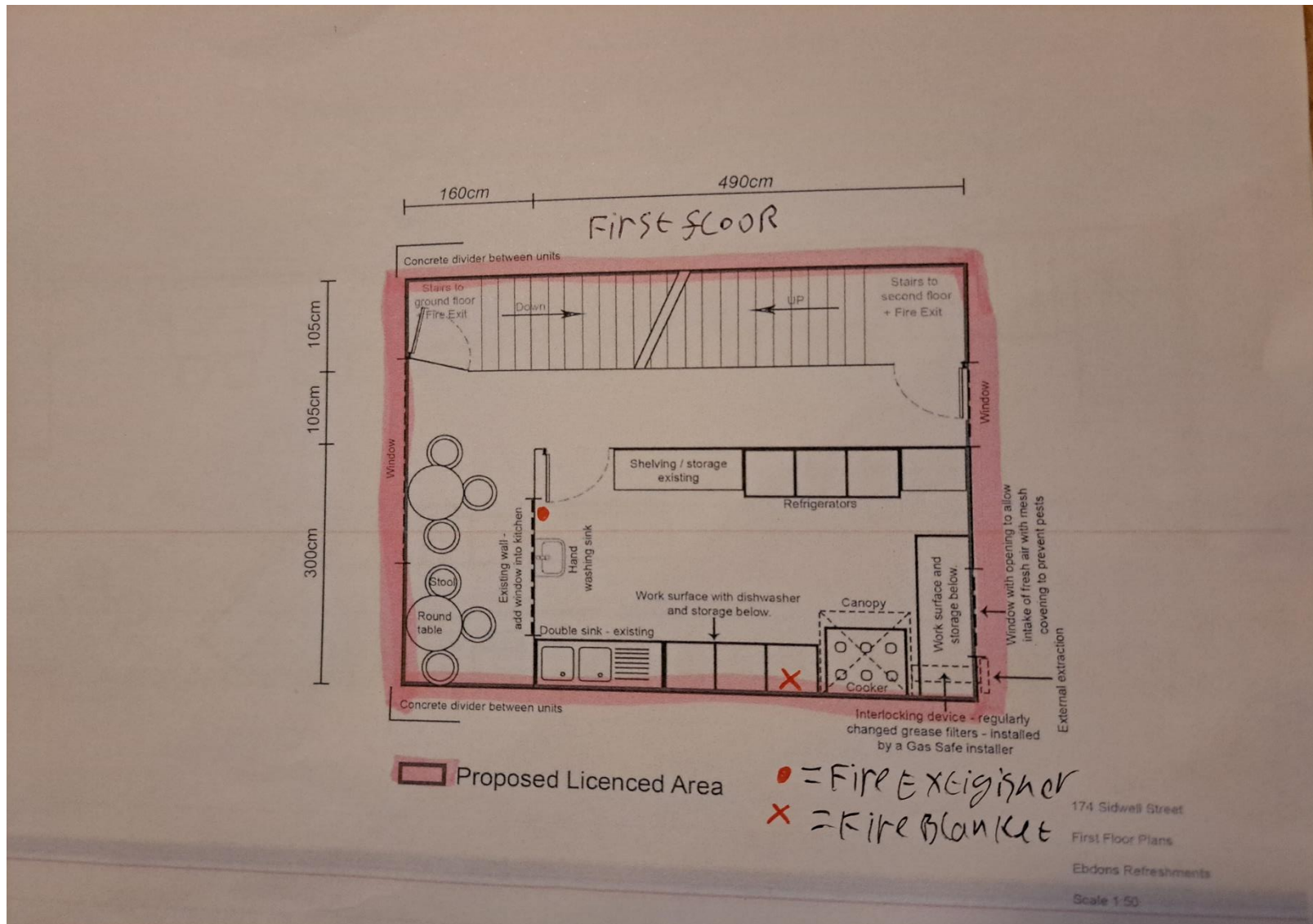
As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

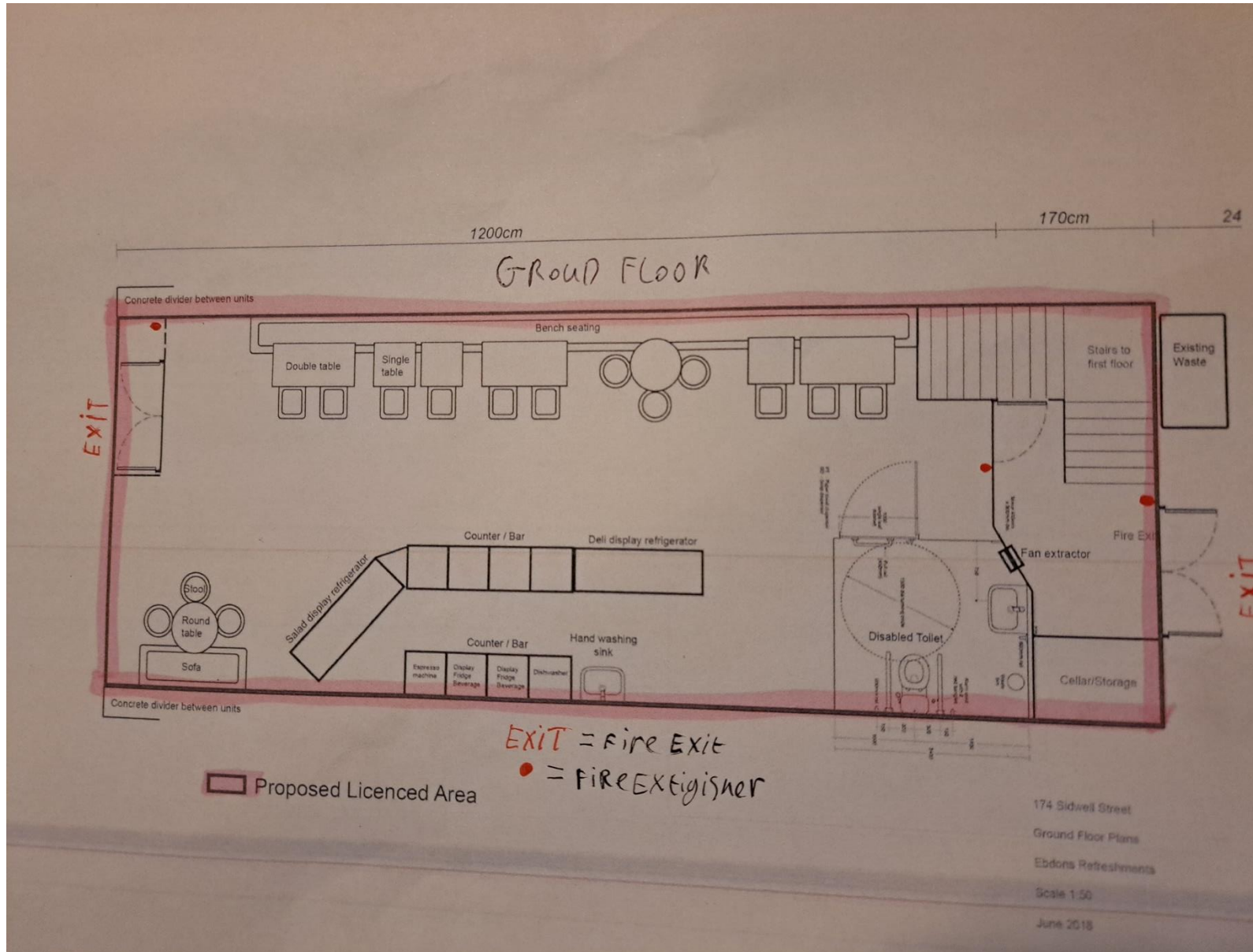
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will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

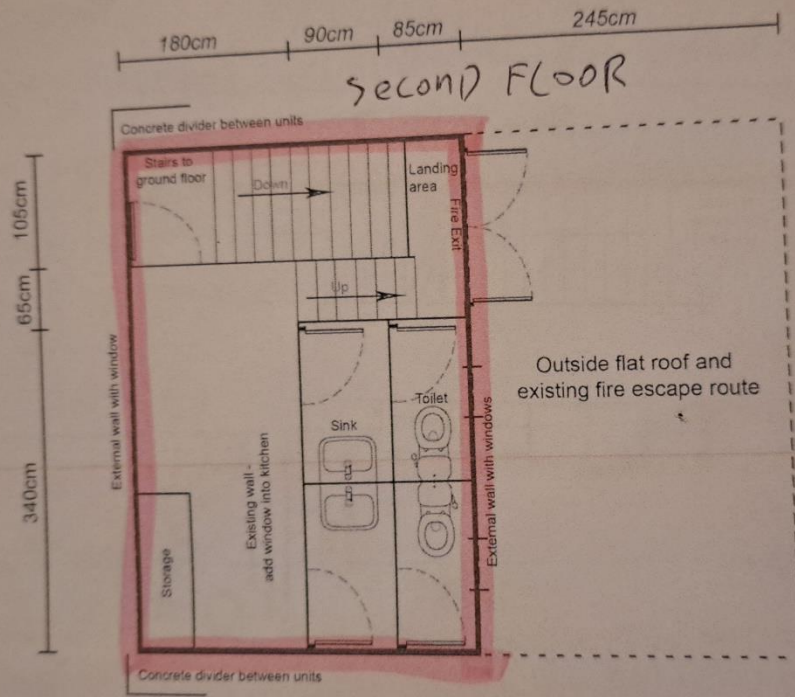
An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service.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

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.









Proposed Licenced Area

174 Sidwell Street

Second Floor Plans

Ebdons Refreshments

Scale 1:50

June 2016

This page is intentionally left blank

**EXETER CITY LICENSING AUTHORITY**

**Licensing Act 2003: Representation form**

**NOTE: This form includes a section to confirm successful mediation between Responsible Authorities and the applicant. This includes the agreement of conditions.**

**1. Your details**

Responsible Authority:	The Chief Officer of Police
Your Name:	Karen Davenport
Job Title:	Alcohol Licensing Officer Devon and Cornwall Police
Postal address:	Alcohol Licensing, Prevention Department, Room G-018 Quad Building, HQ Middlemoor, Exeter, Devon, EX2 7HQ
Email address:	[REDACTED]
Contact telephone number:	[REDACTED]

**2. Premises details**

Name of the premises you are making a representation about:	
Name of the applicant:	Damien Sluman
Address of the premises you are making a representation about:	174 Sidwell Street, Exeter, EX4 6RH

**3. Representation information**

<b>Which of the four licensing objectives does your representation relate to?</b>	Yes Or No	<b>Please detail the reason(s) for your representation, including any relevant evidence. This <u>MUST</u> include a clear statement as to why the representation is considered appropriate and necessary. Please use separate sheets if necessary.</b>
To prevent crime and disorder	Yes	Sidwell Street sits within the PSPO and CIA and has a rather high rate of crime, disorder, and ASB due in part to the high number of street attached drinkers. Hours open to the public Sunday – Thursday 03:30 Friday – Saturday 04:00 Last orders for late night refreshments and alcohol will be 30 mins prior to closing time
Public safety	Yes	SIA Door staff – A minimum of 1 SIA door supervisor shall be on duty Sunday to Thursday with a minimum of 2 on Fridays and Saturdays when open passed 22:00 hrs until all customers have left the premises.

To prevent public nuisance	No	
To protect children from harm	No	

**4. Additional information and mediation**

<p>Do you have any suggested conditions or alterations to the application that would remedy your representation? If so, please list them clearly. Please use separate sheets if necessary.</p>	<p>After speaking with the applicant Mr Sluman we have come to the following agreements;</p> <p>Last orders of alcohol and closing times on a Friday and Saturday night to be pulled back by 30mins from the origin application.</p> <p>2 SIA doorstaff on Fri &amp; Sat night when open past 22:00hrs</p>	
<p>8If the applicant agrees to the amendments you have set out in the box above, would you be willing to withdraw your representation?</p>	<p><b>Yes</b></p>	
<p>If you agree to withdraw your representation, do you also agree that there is no need for a hearing?</p>	<p><b>Yes</b></p>	
<p>If you are unwilling to withdraw your representation, please detail the reasons for this. This information will be provided to the licensing sub-committee in advance of a hearing.</p>	<p>N/A</p>	
<p>Any additional information?</p>	<p>N/A</p>	

Signed:     Date: 10/04/2024

Please return this form along with any additional sheets to: Exeter City Licensing Authority, Civic Centre, Paris Street, Exeter EX1 1JN or email to [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk). This form must be returned within the Statutory Period.

**5. Confirmation of agreement**

If an amendment to the application has been agreed between the applicant and the Responsible Authority making the representation, the applicant must sign below to confirm the amendments to the application set out above and their agreement.

Name of applicant: Damien mark sluman     Signed: D.Sluman

Date: 18/04/24

**EXETER CITY LICENSING AUTHORITY**

**Licensing Act 2003: Representation form**

**NOTE: This form includes a section to confirm successful mediation between Responsible Authorities and the applicant. This includes the agreement of conditions.**

**1. Your details**

Responsible Authority:	Exeter City Council Environmental Health
Your Name:	Lisa Cocks
Job Title:	Environmental Health and Community Safety Manager
Postal address:	Civic Centre Parsi Street Exeter
Email address:	[REDACTED]
Contact telephone number:	[REDACTED]

**2. Premises details**

Name of the premises you are making a representation about:	
Name of the applicant:	Damien Mark Sluman
Address of the premises you are making a representation about:	174 Sidwell Street Exeter

**3. Representation information**

<b>Which of the four licensing objectives does your representation relate to?</b>	<b>Yes Or No</b>	<b>Please detail the reason(s) for your representation, including any relevant evidence. This <u>MUST</u> include a clear statement as to why the representation is considered appropriate and necessary. Please use separate sheets if necessary.</b>
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	The applicant has applied for live music until 01:00 on Friday and Saturday and recorded music between the hours of 10:00 and 03:25 Sunday to Thursday and until 04:25 on Friday and Saturday. The applicant must consider the licensing objective of prevention of public nuisance for residents who live within the city centre. No mention has been made of how the applicant intends to prevent issues arising from nuisance from music in the early hours. In addition, the applicant needs to consider prevention of nuisance patrons using the outside seating.
To protect children from harm	No	

#### 4. Additional information and mediation

<p>Do you have any suggested conditions or alterations to the application that would remedy your representation? If so, please list them clearly. Please use separate sheets if necessary.</p>	<p>1. No food or drinks, including alcohol, may be provided outside the premises without a valid Pavement Café Licence. Provision of alcohol outside of the licensed area is a breach of the Public Spaces Protection Order.</p> <p>2. The pavement café may operate between the hours of 10:00 and 21:00. After 21:00 tables and chairs must be taken out of use and removed from the highway. All patrons should be brought inside the premises after 21:00.</p> <p>3. No speakers will be situated outside the premises.</p> <p>4. In the external area alcohol may only be consumed by persons seated at tables.</p> <p>5. Doors and windows shall be kept closed (except for the ingress and egress of persons) whenever music or amplified sound is being played inside the premises.</p> <p>6. The Premises Licence Holder should undertake a survey of the building to assess its acoustic integrity. If there are any acoustic weak points in the building, details of how the structure will be improved to be submitted to, and agreed in writing by, Environmental Health.</p>	
<p>If the applicant agrees to the amendments you have set out in the box above, would you be willing to withdraw your representation?</p>	<p><b>Yes</b></p>	<p><b>No</b></p>
<p>If you agree to withdraw your representation, do you also agree that there is no need for a hearing?</p>	<p><b>Yes</b></p>	<p><b>No</b></p>
<p>If you are unwilling to withdraw your representation, please detail the reasons for this. This information will be provided to the licensing sub-committee in advance of a hearing.</p>	<p>I will be speaking with the applicant to discuss the likely use of the building.</p>	
<p>Any additional information?</p>		

Signed: Lisa Cocks

Date: 22/04/24

Please return this form along with any additional sheets to: Exeter City Licensing Authority, Civic Centre, Paris Street, Exeter EX1 1JN or email to [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk). This form must be returned within the Statutory Period.

## 5. Confirmation of agreement

If an amendment to the application has been agreed between the applicant and the Responsible Authority making the representation, the applicant must sign below to confirm the amendments to the application set out above and their agreement.

Name of applicant:

Signed:

Date:



## APPENDIX C

Good morning

Please see attached signed representation for in respect of 174 Sidwell Street Exeter.

Mr Sluman has agreed to the slight modification in opening hours on Friday and Saturday nights plus the addition of 2 members of SIA doorstaff on a Friday and Saturday night when open past 22:00.

Kind regards  
Karen Davenport

**From:** Damien Sluman <[REDACTED]>  
**Sent:** Friday, April 19, 2024 3:56 PM  
**To:** DAVENPORT Karen 57423 <[REDACTED]>  
**Subject:** Re: FW: 174 Sidwell Street Exeter-representation-form. agreed conditions

Please find attached signed form. If you need anything else let me know and I will get it done asap  
Many thanks  
Damien

On Thu, 18 Apr 2024, 12:07 DAVENPORT Karen 57423,  
<[REDACTED]> wrote:

Your signature is fine, you can just type your name and email it back saying you agree.

Thank you 😊

**From:** Damien Sluman <[REDACTED]>  
**Sent:** Thursday, April 18, 2024 11:23 AM  
**To:** DAVENPORT Karen 57423 <[REDACTED]>  
**Subject:** Re: FW: 174 Sidwell Street Exeter-representation-form. agreed conditions

Sorry thought I'd already replied and your signature is OK or you want me to print it out and bring it to Middelmore??

On Thu, 18 Apr 2024 at 10:38, DAVENPORT Karen 57423  
<[REDACTED]> wrote:

Hi Damien

Still waiting for a response from you regarding the attached, could you get back to me asap please. The 22<sup>nd</sup> is looming ever closer.

Kind regards

Karen

**From:** DAVENPORT Karen 57423  
**Sent:** Tuesday, April 9, 2024 5:50 PM  
**To:** Damien Sluman <[REDACTED]>  
**Subject:** 174 Sidwell Street Exeter-representation-form. agreed conditions  
**Importance:** High

Hi Damien

Thank you for taking the time to meet me last week.

As discussed please see attached with the amended conditions and opening times we discussed for you to read and sign if you are in agreement and email back to me as soon as possible.

Could you confirm if you are going to apply for a pavement licence in the immediate future please as I would like the wording below added as a condition if you are.

**Should a pavement licence be applied for all drinks to be consumed by persons seated at tables and decanted into polycarbonate glasses. Tables and chairs to be cleared from outside area by 21:00 – this would need to be applied for after the licence has been issued by way of a minor variation.**

Please feel free to call or email me should you wish to discuss anything further

Kind Regards

*Karen*

**From:** Damien Sluman <[arcadeexeter@gmail.com](mailto:arcadeexeter@gmail.com)>  
**Sent:** Wednesday, May 8, 2024 5:52 PM  
**To:** Lisa Cocks <[lisa.cocks@exeter.gov.uk](mailto:lisa.cocks@exeter.gov.uk)>  
**Subject:** Re: Licence Application - 174 Fore Street, Exeter

Hello Lisa

That's fine with me.

We're not planning on investing in the building for soundproofing ATM (other than correct speaker placement etc) as we only have a 12 month lease.

There are no residential properties in the area for music to cause a issue too unless we were amplifying outside etc with as agreed above we wouldn't be doing.

Many thanks

Damien

On Wed, 8 May 2024, 16:50 Lisa Cocks, <[lisa.cocks@exeter.gov.uk](mailto:lisa.cocks@exeter.gov.uk)> wrote:

Dear Damien,

You have indicated that you are generally in agreement with the conditions I've set out below.

1. No food or drinks, including alcohol, may be provided outside the premises without a valid Pavement Café Licence. Provision of alcohol outside of the licenced area is a breach of the Public Spaces Protection Order.
2. The pavement café may operate between the hours of 10:00 and 21:00. After 21:00 tables and chairs must be taken out of use and removed from the highway
3. All patrons should be brought inside the premises after 21:00.
4. No speakers will be situated outside the premises.
5. In the external area alcohol may only be consumed by persons seated at tables.
6. Doors and windows shall be kept closed (except for the ingress and egress of persons) whenever music or amplified sound is being played inside the premises.
7. The Premises Licence Holder should undertake a survey of the building to assess its acoustic integrity. If there are any acoustic weak points in the building, details of how the structure will be improved to be submitted to, and agreed in writing by, Environmental Health.

I do still have concerns over the late operating hours, particularly with regard to live music until 01:00. Noise levels will need to be particularly well controlled, and the building will need adequate sound proofing to control outbreak of noise. Although I've listed the conditions above I would like some further indication on how you are intending to improve the structure of the building and how you intend to control the noise levels.

Kind regards

Lisa

**Lisa Cocks**

Environmental Health & Community Safety Manager

Exeter City Council

Tel:

**From:** Damien Sluman <[arcadeexeter@gmail.com](mailto:arcadeexeter@gmail.com)>  
**Sent:** Wednesday, May 8, 2024 12:36 PM  
**To:** Lisa Cocks <[lisa.cocks@exeter.gov.uk](mailto:lisa.cocks@exeter.gov.uk)>  
**Subject:** Re: Licence Application - 174 Fore Street, Exeter

Hi do we have any update please ??

Many thanks

Damien

On Mon, 29 Apr 2024, 13:07 Damien Sluman, <[arcadeexeter@gmail.com](mailto:arcadeexeter@gmail.com)> wrote:

hello Lisa any update??

many thanks

Damien

On Fri, 26 Apr 2024 at 10:46, Damien Sluman <[arcadeexeter@gmail.com](mailto:arcadeexeter@gmail.com)> wrote:

Hello Lisa

Do you need any more information from me?

Many thanks

Damien

On Wed, 24 Apr 2024, 12:04 Damien Sluman, <[arcadeexeter@gmail.com](mailto:arcadeexeter@gmail.com)> wrote:

Hello Lisa

As of your we are planning on a payment licence but are making it a thing we need straight away we are looking at sorting this after we are in and paid for the building/ decorating work etc. The 10 in the evening tables in has already been added to the licence when we met with the police some weeks ago.

As for speakers we have no interest in having any outside so that works fine.

When we do get the licence for outside I'll be looking at benches etc for people to sit on we also (as per our discussion with police some weeks ago) will not be allowing glass out the front of the premises.

Happy to keep doors shut etc

We have already served the building and looked for Where sound can escape and more importantly who may be effected by the activities.

The performance of live music has is set at 10- 1 as the business next door (Japanese restaurant) closes trade at 10 so although later than venues would normally work its in place to stop issues with others on the street/ area.

Any other questions please let us know happy to help.

Many thanks

Damien

On Tue, 23 Apr 2024, 12:31 Lisa Cocks, <[lisa.cocks@exeter.gov.uk](mailto:lisa.cocks@exeter.gov.uk)> wrote:

Dear Mr Sluman,

I write further to your application for a licence at 174 Sidwell Street, Exeter. I left a message for you yesterday on the telephone number you have given on the application. As I have been unable to speak to you, I wanted to make contact to discuss the arrangements you will be putting in place to promote the licencing objective of prevention of public nuisance. It would be useful to have a discussion on use of the premises, as the operating hours for live music are listed as being until 01:00 on Friday and Saturday and for recorded music until 03:25 Sunday through to Thursday and until 04:25 on Friday and Saturday. In addition, you will need to apply for a pavement café licence [Pavement cafe licence - Exeter City Council](#) which is separate from this application under the Licensing Act 2004.

The operating hours are very late and there needs to be some consideration on how noise levels will be managed both inside the premises and externally. In your application you haven't addressed the prevention of pubic nuisance form the music noise levels and therefore I would like you to consider

what measures you will be putting in place. As part of this process, you will need to take into consideration the construction of the building and the actual noise levels that will be acceptable with the late operating hours you have proposed.

I have listed below the conditions I would like you to consider.

1. The pavement café may operate between the hours of 10:00 and 22:00. After 22:00 tables and chairs must be taken out of use and removed from the highway. All patrons should be brought inside the premises after 22:00.
2. No speakers will be situated outside the premises.
3. In the external area alcohol may only be consumed by persons seated at tables.
4. Doors and windows shall be kept closed (except for the ingress and egress of persons) whenever music or amplified sound is being played inside the premises.
5. The Premises Licence Holder should undertake a survey of the building to assess its acoustic integrity. If there are any acoustic weak points in the building, details of how the structure will be improved to be submitted to, and agreed in writing by, Environmental Health.

A representation has been submitted to the Licensing Team,, however I would like there to be a discussion on the matter so that we can agree a way forward.

Yours sincerely

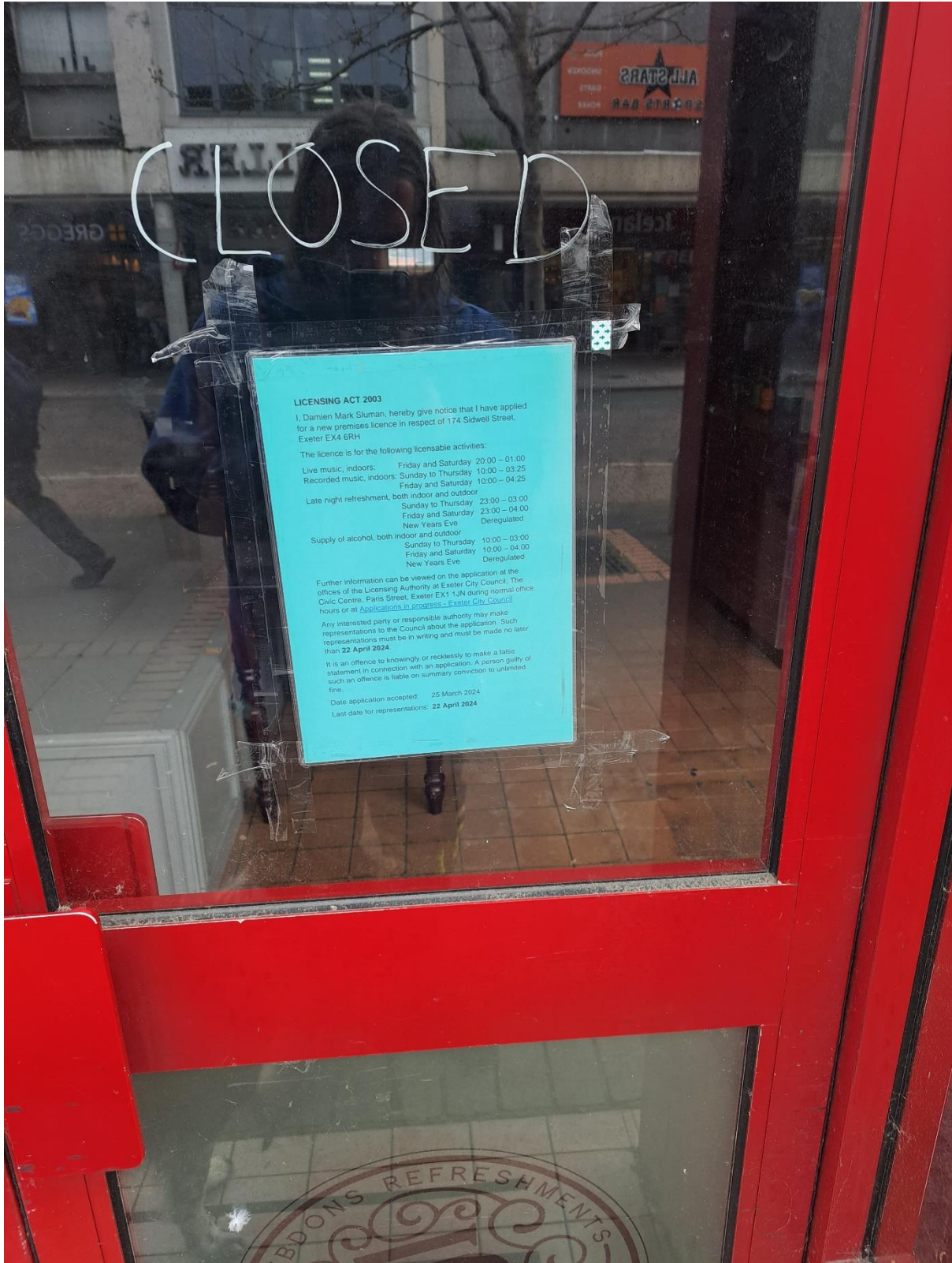
**Lisa Cocks**

Environmental Health & Community Safety Manager

Exeter City Council

# APPENDIX D

## The Premises notice









<https://wmn.bookanad.com>

## Booking:

Booking Ref: 902283150  
Size: 9 cm x 2 column  
Start date: Wed 3 Apr 2024  
In: Alcohol

## Publications:

1 insert in the Western Morning News  
1 listing on Public Notice Portal

## Notice Text:

LICENSING ACT 2003 I, Damien Mark Sluman, hereby give notice that I have applied for a new premises licence in respect of 174 Sidwell Street, Exeter EX4 6RH  
The licence is for the following licensable activities:  
Live music, indoors: Friday and Saturday 20:00 - 01:00  
Recorded music, indoors: Sunday to Thursday 10:00 - 03:25 Friday and Saturday 10:00 - 04:25  
Late night refreshment, both indoor and outdoor Sunday to Thursday 23:00 - 03:00  
Friday and Saturday 23:00 - 04:00  
New Years Eve Deregulated  
Supply of alcohol, both indoor and outdoor Sunday to Thursday 10:00 - 03:00  
Friday and Saturday 10:00 - 04:00  
New Years Eve Deregulated  
Further information can be viewed on the application at the offices of the Licensing Authority at Exeter City Council, The Civic Centre, Paris Street, Exeter EX1 1JN during normal office hours or at Applications in progress - Exeter City Council  
Any interested party or responsible authority may make representations to the Council about the application. Such representations must be in writing and must be made no later than 22 April 2024.  
It is an offence to knowingly or recklessly to make a false statement in connection with an application. A person guilty of such an offence is liable on summary conviction to unlimited fine.  
Date application accepted: 25 March 2024  
Last date for representations: 22 April 2024 EX4 6RH

### LICENSING ACT 2003

I, Damien Mark Sluman, hereby give notice that I have applied for a new premises licence in respect of 174 Sidwell Street, Exeter EX4 6RH  
The licence is for the following licensable activities:  
Live music, indoors: Friday and Saturday 20:00 - 01:00  
Recorded music, indoors: Sunday to Thursday 10:00 - 03:25 Friday and Saturday 10:00 - 04:25  
Late night refreshment, both indoor and outdoor Sunday to Thursday 23:00 - 03:00  
Friday and Saturday 23:00 - 04:00  
New Years Eve Deregulated  
Supply of alcohol, both indoor and outdoor Sunday to Thursday 10:00 - 03:00  
Friday and Saturday 10:00 - 04:00  
New Years Eve Deregulated  
Further information can be viewed on the application at the offices of the Licensing Authority at Exeter City Council, The Civic Centre, Paris Street, Exeter EX1 1JN during normal office hours or at Applications in progress - Exeter City Council  
Any interested party or responsible authority may make representations to the Council about the application. Such representations must be in writing and must be made no later than 22 April 2024.  
It is an offence to knowingly or recklessly to make a false statement in connection with an application. A person guilty of such an offence is liable on summary conviction to unlimited fine.  
Date application accepted: 25 March 2024  
Last date for representations: 22 April 2024

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank