

LICENSING SUB-COMMITTEE

Date: Thursday 21 March 2024

Time: 12.00 pm

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 Sharon Sissons, Democratic Services Officer (Committees) on 01392 265115 or email committee.services@exeter.gov.uk

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

Membership -
Councillors Holland, Sheridan and Warwick

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

LICENSING ACT 2003

4 **Application to Vary the Premises Licence**

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 3 - 38)

Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265115.

REPORT TO:	LICENSING SUB COMMITTEE
Date of Hearing:	21 March 2024
Report of:	The Service Lead - Environmental Health and Licensing Manager
Author:	Geraldine Pendlington, Licensing Officer
Type of Application:	Licensing Act 2003 application for the VARIATION of a premises licence
Premises:	Mill on the Exe
Legislation:	Licensing Act 2003 ('the Act')
Ward of Premises:	St David's
Applicant:	St Austell Brewery Company Limited

1. What is the report about?

1.1 The application attached as Appendix A has been received for the VARIATION of a premises licence. The variation submitted applies to Supply of Alcohol.

1.2 The existing licence is attached at Appendix B.

1.3 The proposed variation:

The Applicant seeks to apply for a variation to permit:

1. A new bar to be situated in the gardens as shown on the new plans at Appendix C.
 2. For the hours of the sale of alcohol from the new bar to be the same as the current hours permitted for the sale of alcohol on the premises of 10.00 to 00:00 Monday to Sunday and from 10.00 on New Years Eve to 10.00 on New Years Day
- 1.4 The Applicant is seeking the sale of alcohol to be both on and off the premises.
- 1.5 The Applicant has provided a copy of the proposed new plans showing the position of the new bar attached as Appendix C.

2. Are there any representations?

2.1 There has been one representation from a local resident, attached as Appendix D, objecting to the variation relating to the following Licensing Objectives:

- the Prevention of Public Nuisance;
- the Protection of Children from harm.

3. Report details:

- 3.1 The application was advertised on the Premises and in the local newspaper on 8th February 2024 in line with the Licensing Act 2003. The Premises advertisement is at Appendix E.
- 3.2 The notice of hearing was issued to all parties on 7th March 2024.

4. What are the legal aspects?

- 4.1 In the event the Licensing Sub-Committee proceed to determine the application it is required to have regard to;
 - 4.1.1 the steps that are appropriate to promote the Licensing Objectives;
 - 4.1.2 the representations (including supporting information) presented by all the parties; and
 - 4.1.3 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 Licensing Act 2003 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/revised-guidance-issued-under-section-182-of-licensing-act-2003) and
 - 4.1.4 the Licensing Authorities Statement of Licensing Policy which can be viewed at <https://exeter.gov.uk/media/1427/statement-of-licensing-policy-2015-2020.pdf>
- 4.2 In determining a licence application the Licensing Sub-Committee will consider each application on its merits.
- 4.3 The Licensing Sub-Committee, having regard to the representations, must take such of the following steps, if any, as it considers appropriate for the promotion of the Licensing Objectives.
 - to modify the conditions of the licence; and/or
 - to reject the whole or part of the application.

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

5. Recommendations:

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

Service Lead – Environmental Health & Community Safety

Author: **Geraldine Pendlington** Licensing Officer

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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APPENDIX A

APPLICATION FORM

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

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

Your reference

AG/Millontheexe/013466/00006

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

St Austell Brewery Co Limited

* Family name

St Austell Brewery Co Limited

* E-mail

a.gardner@popall.co.uk

Main telephone number

0115 9349157

Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

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

Yes No

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

Registration number

107021

Business name

St Austell Brewery Co Limited

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

VAT number

GB NOT KNOWN

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

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

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

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

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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

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

* Premises Licence Number

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

103,500

Section 3 of 18

VARIATION

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

The application is to licence a new bar which is to be in the beer garden at the premises for the sale of alcohol, the external bar is shown edged red on the plan number 3053.03.01 Revision C accompanying this application. The hours for the sale of alcohol to be the same as the current hours permitted for the sale of alcohol on the premises licence of 10:00 until midnight Mondays to Sundays and from 10:00 on New Years Eve until 10:00 on New Years Day. All other timings, licensable activities and plans of the pub to remain as existing.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

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

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

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.

As existing.

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

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

As existing but to be extended to include the new proposed outdoor area.

Section 14 of 18

ADULT ENTERTAINMENT

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

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

None

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

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

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

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

As existing

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

None

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

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

Section 16 of 18

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.

At all times that the external bar is open for the sale of alcohol it will always be staffed.

The point at which alcohol sales are made from the external bar will be covered by CCTV.

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

See box a) above

Section 17 of 18

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 18 of 18

PAYMENT DETAILS

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

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

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

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

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

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

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

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

* Fee amount (£)

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the

Continued from previous page...

* licensing act 2003, to make a false statement in or in connection with this application.

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

IT IS AN OFFENCE, 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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

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APPENDIX B

Existing Licence

Licensing Act 2003

Premises Licence

EXE-P00249

Part 1 – Premises Details

PASTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Mill on the Exe

Mill On The Exe, Bonhay Road, Exeter, Devon EX4 3AB

WHERE THE LICENCE IS TIME LIMITED, THE DATES

Not applicable, licence is not time limited.

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Supply of Alcohol
Live Music
Recorded Music

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Supply of Alcohol (Alcohol is supplied for consumption both on and off the Premise)

Monday to Sunday	10:00 - 00:00
New Year's Eve	10:00 - 10:00

Live Music (Indoors and Outdoors)

Monday to Sunday	11:00 - 00:00
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Recorded Music (Indoors)

Monday to Sunday	11:00 - 00:00
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THE OPENING HOURS OF THE PREMISES

Monday to Sunday	08:00 - 01:00
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New Year's Eve	08:00 - 08:00
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Licensing Authority
Exeter City Council
Civic Centre
Paris Street
Exeter
EX1 1RQ

Tel: 01392 265 702
Email: licensing.team@exeter.gov.uk

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND/OR OFF SUPPLIES

Alcohol is supplied for consumption both ON and OFF the Premises

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

St Austell Brewery Co Ltd 63 Trevarthian Road St Austell PL25 4BY

Email address invoices.ap@staustellbrewery.co.uk

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

107021

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Michael David Collins 14A Seation Approach Virginia Waters Surrey GU25 4RN

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. 12/01520/PERS

Licensing Authority: Norwich

ANNEXE 1 - MANDATORY CONDITIONS

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

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

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

The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

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

The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-

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

The responsible person must ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made-up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
 - (i) beer or cider: pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
 - (a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) permitted price is the price found by applying the formula-
 $P = D + (D \times V)$ where-
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) relevant person means, in relation to premises in respect of which there is in force a premises licence-
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Alcoholic and soft drinks will be served in toughened glasses.

Any person who appears to be under the age of 21 will be asked for identification if attempting to purchase alcoholic drinks.

Only a valid Passport, Photo card Driving Licence or ID carrying the PASS logo will be accepted as proof of age.

An anti-drug policy agreed by the Police will be operated

ANNEXE 3 - CONDITIONS ATTACHED AFTER A HEARING

None.

ANNEXE 4 - PLANS

Please see attached



Exeter
City Council

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

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

Licensing Act 2003
Premises Licence Summary **EXE-P00249**

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION
<p>Mill On The Exe Bonhay Road Exeter Devon EX4 3AB</p>

WHERE THE LICENCE IS TIME LIMITED THE DATES
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE
<p>Supply of Alcohol Live Music Recorded Music</p>

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES	
Supply of Alcohol (Alcohol is supplied for consumption both on and off the Premise)	
Monday to Sunday	10:00 - 00:00
New Year's Eve	10:00 - 10:00
Live Music (Indoors and Outdoors)	
Monday to Sunday	11:00 - 00:00
Recorded Music (Indoors)	
Monday to Sunday	11:00 - 00:00



Exeter
City Council

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

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

THE OPENING HOURS OF THE PREMISES

Monday to Sunday	08:00 - 01:00
New Year's Eve	08:00 - 08:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND /OR OFF SUPPLIES

Alcohol is supplied for consumption both ON and OFF the Premises

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

St Austell Brewery Co Ltd 63 Trevarthian Road St Austell PL25 4BY
Email address invoices.ap@staustellbrewery.co.uk

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

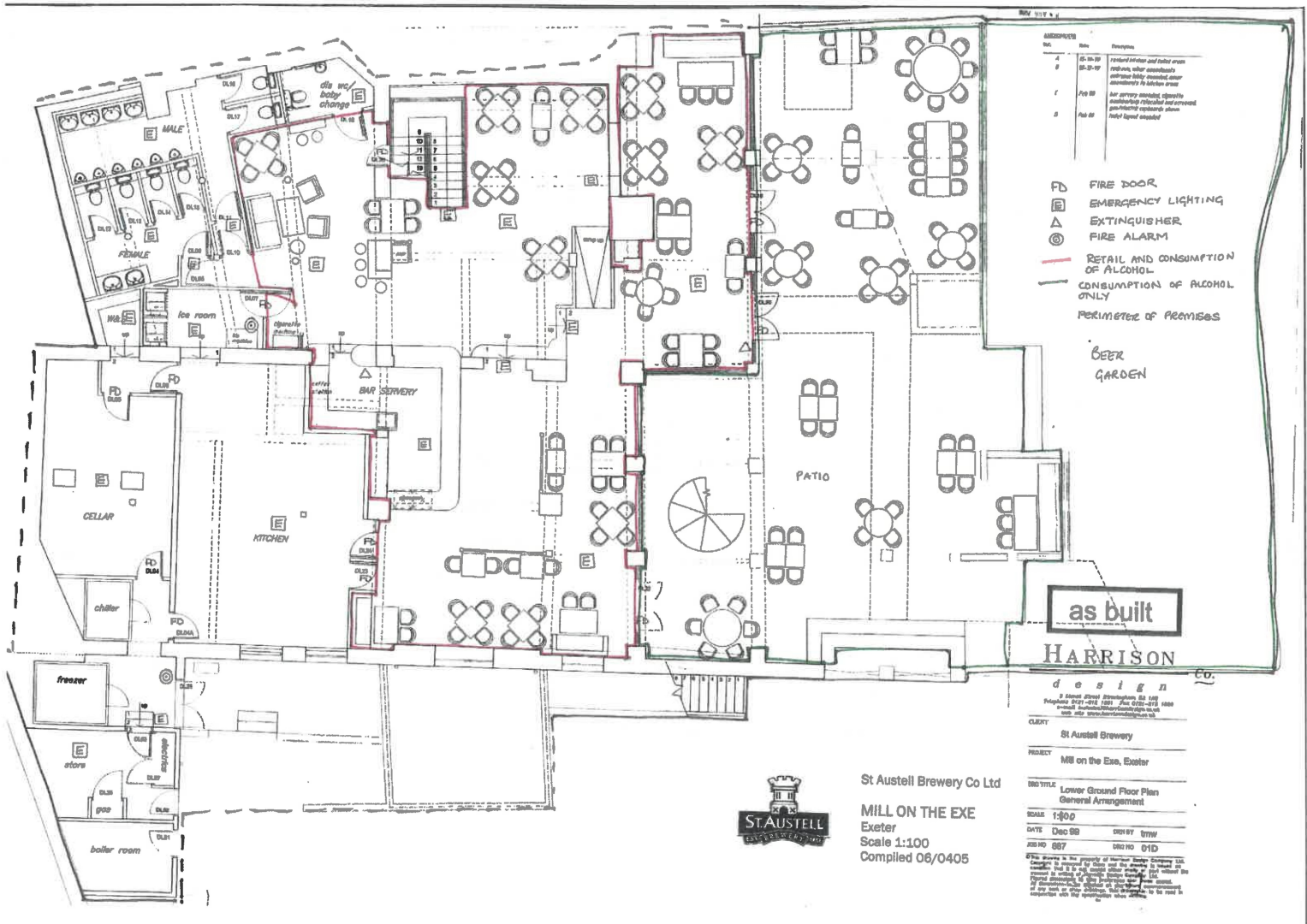
107021

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Michael David Collins

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Restricted only by the Licensing Act 2003





St Austell Brewery
MILL ON THE EXE
 Exeter
 Scale 1:100
 Compiled 06/04/05

MM 517 x 6



- FD FIRE DOOR
- E EMERGENCY LIGHTING
- ▲ EXTINGUISHER
- ⊙ FIRE ALARM
- RETAIL AND CONSUMPTION OF ALCOHOL
- CONSUMPTION OF ALCOHOL ONLY
- PERIMETER OF PREMISES

- r 7-10-01 rubber sheeting board
- B 1-10-01 glasswork mounted to stone
- r 1-10-01 rubber, other sheeting
- B 1-10-01 rered stairs and rail
- r 1-10-01 rered balustrade and rered stairs

HARRISON Co.
design

3 Wood Street Birmingham B1 5AG
 Telephone 0121 633 1001 Fax 0121 633 1002
 e-mail harrison@harrisondesign.co.uk
 web site www.harrisondesign.co.uk

CLIENT
 St Austell Brewery

PROJECT
 Mill on the Exe, Exeter

DWG TITLE
 Ground Floor Plan
 General Arrangement

SCALE
 1:100

DATE
 Dec 09

DRAWN BY
 Srw

CHECKED BY
 Srw

JOB NO
 667

DWG NO
 02E

This drawing is the property of Harrison Design Company Ltd. It is to be used only for the project and site specified. It is not to be used for any other project without the written consent of Harrison Design Company Ltd. It is not to be used for any other project without the written consent of Harrison Design Company Ltd.

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APPENDIX C

New plans

All Dimensions in Millimeters Unless Otherwise Stated.

A. It shall be the contractors responsibility to verify all dimensions, details, and job site conditions prior to proceeding with the work. Report any discrepancies to the main contractor in writing prior to proceeding with any work.

B. In all cases where conflict may occur, as between items on plans, drawings and specifications or notes and specific details, or for any omissions, Simple Simon Design shall be notified to interpret the intent of the documents and drawings prior to proceeding with any work.

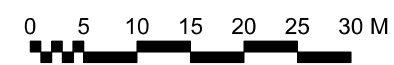
C. If due to the nature or method of construction, details as shown on drawings or specified cannot be satisfactorily achieved, the fabricator shall immediately advise Simple Simon Design and recommend a modification that is considered necessary for the proper execution of the work; this request shall be made in writing before any material is ordered or fabricated. Any unsatisfactory work that develops during fabrication or installation shall be corrected at the fabricators expense.

D. Fabricator to provide shop drawings for approval prior to proceeding with production.

E. In no event should working dimensions be scaled from plans or details.



- Indicates area for sale of alcohol.
(bar within new build out building)
- Indicates area to be used for consumption of alcohol
- Indicates extent of property demise



C	26/01/2024	Drawing updated to reflect new build bar & pizza servery footprint.	BR
B	08/01/2024	Note amended - "indicates area to be used for consumption of alcohol"	BR
A	20/12/2023	First Issue	BR

CLIENT St Austell Brewery
PROJECT Mill on the Exe
JOB NO 3053

TITLE Licensing Drawing
STATUS
DRAWN CB
SCALE 1:500 (@ A3) **DATE** 20/12/2023

DRAWING 3053.03.01 **REV** C
Simple Simon
 creative spaces

5/10 PAINTWORKS
 BATH ROAD
 BIRCHOL
 BS4 3EH

+44(0)1752 57576
 INFO@SIMPLESIMONDESIGN.CO.UK
 WWW.SIMPLESIMONDESIGN.CO.UK

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APPENDIX D

RECEIVED REPRESENTATION

Exeter City Council – Licensing Act 2003

REPRESENTATION FORM

This representation is made about the premises to be licensed as detailed below:

Your full name	
The name of the organisation / body you represent (if appropriate)	
Postal address	
Email address	
Contact telephone number	

Name of the premises you are making a representation about	Mill on the Exe
Address of the premises you are making a representation about	Bonhay Rd, Exeter EX4 3AB

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	Yes Or No	Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary
To prevent crime and disorder	NO	
Public safety	NO	
To prevent public nuisance	YES	The garden was previously a residential garden, allowing a bar to operate from the garden would cause significant disruption to local residents through increased noise and anti social behaviour.
To protect children from harm	YES	The garden is in close proximity to family homes, the proposal would expose children to people drinking alcohol, smoking, anti social behaviour and strong language.

If you are making a representation against a new application or full variation, please suggest any conditions that could be added to the licence to remedy your representation (or other suggestions you would like the Licensing Sub Committee to take into account).	The application for a variation in licence would cause a significant increase in noise and anti social behaviour. It is also in clear breach of the conditions of their planning permission, which were put in place to protect local residents.
--	--

Signed:



Date: 06/02/2024

Please see notes on reverse

NOTES

If you are making a representation in relation to a 'new' premises or a 'full variation' please read the following notes:

1. If you do make a representation you will be able to attend a meeting of the Licensing Authority's Committee and any subsequent appeal proceeding. If you do not attend, the Committee will consider any representations that you have made in your absence.
2. This form must be returned within the statutory period of 28 days following submission of a valid application to the Licensing Authority.
3. You may make a representation wherever you live in relation to the premises but your representation must be relevant.
4. Representations can only relate to the four licensing objectives.
5. Your representation will be passed to the applicant, to allow them the opportunity of addressing your concerns. Your representations will be published in the report available to the Licensing Committee, which will be publicly available.
6. Please return this form when completed to:

Licensing, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1JN

Alternatively, you can email it to licensing.team@exeter.gov.uk.

If you are making a representation in relation to a 'minor variation' please read the following notes:

1. If you do make a representation, you should be aware that the application will be determined by an Officer. There will be no hearing and there is no right of appeal.
2. This form must be returned within the statutory period of 10 working days following submission of a valid application to the Licensing Authority.
3. You may make a representation wherever you live in relation to the premises but your representation must be relevant.
4. Representations can only relate to the four licensing objectives.
5. Please return this form when completed to:

Licensing, Exeter City Council, Civic Centre, Paris Street, Exeter EX1 1JN

Alternatively, you can email it to licensing.team@exeter.gov.uk.

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APPENDIX E

BLUE NOTICE

Notice of application to vary a Premises Licence under
Section 34 of the Licensing Act 2003

Notice is hereby given that St Austell Brewery Company Ltd in respect of Premises known as Mill on the Exe, Bonhay Road, Exeter, EX4 3AB applied to Exeter City Council for a Variation of a Premises Licence.

The proposed variation is to licence a new bar which is to be in the beer garden at the premises for the sale of alcohol, the external bar is shown edged red on the layout plan accompanying this application. The hours for the sale of alcohol to be the same as the current hours permitted for the sale of alcohol on the premises licence of 10:00 until midnight Mondays to Sundays and from 10:00 on New Years Eve until 10:00 on New Years Day. All other timings, licensable activities and plans of the pub to remain as existing.

Any representations regarding the above-mentioned application must be received in writing by email to licensing.team@exeter.gov.uk or by post to The Licensing Team, Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1RQ no later than 26th February 2024 stating the grounds for representation.

The register of Exeter City Council and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website - www.exeter.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.