

## LICENSING SUB-COMMITTEE

**Date:** Wednesday 12 June 2024

**Time:** 10.00 am

**Venue:** Rennes 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..

*Panel -*

Councillors Parkhouse, Sheridan 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 Review of Premises Licence**

To consider the report of the Service Lead - Environmental Health & Community Safety. (Pages 3 - 26)

**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

|                             |   |
|-----------------------------|---|
| <b>Date of Hearing:</b>     | <b>12.06.2024</b>   |
| <b>Report of:</b>           | <b>Service Lead - Environmental Health and Community Safety</b>                 |
| <b>Type of Application:</b> | <b>To seek a REVIEW of the premises licence for Newham Stores</b>               |
| <b>Premises Address:</b>    | <b>Newham Stores, 12-13 South Street, Exeter, EX1 1DZ.</b>                      |
| <b>Legislation:</b>         | <b>Licensing Act 2003 (“the Act”)</b>   |
| <b>Applicant:</b>           | <b>Exeter Cathedral School, The Chantry Palace Gate, Exeter, Devon, EX1 1HX</b> |

### 1. What is the report about?

- 1.1 An application has been received from Exeter Cathedral School (‘the School’), seeking a review of the Premises Licence held by Newham Stores. A copy of this application together with the Premises Licence is attached as Appendix A to this report. The application for review has been advertised and circulated as required by the legislation. A copy of the notice of the review is attached as Appendix B to this report.

### 2. Are there any representations?

- 2.1 The legislation requires that any representations for the review of a Premises Licence must be submitted to the Licensing Authority no later than the 28th day after receipt of the review application. The 28 day period begins the day after receipt of the application. The last date for representations was therefore the 22<sup>nd</sup> May 2024.
- 2.2 No representations were received from local residents within the statutory representation period.
- 2.3 No representations were received from any of the Responsible Authorities within the statutory time period.

### 3. Report details:

- 3.1 The application from Exeter Cathedral School referenced the licensing objective of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. The grounds for the review are given as follows:

#### The prevention of crime and disorder

The sale of alcohol from licensed premises leads to public drinking and drug taking place on South Street, directly outside Kalendar Hall. This has led to

incidents of disorder, violence and criminal damage to the building and most recently an attempt at arson.

#### Public safety

The regular disorder caused by public drinking not only affects the staff and pupils in Kalendar Hall, but also members of the public in South Street, especially those waiting at the nearby bus stop.

#### The prevention of Public Nuisance

The public drinking and drug taking leads to litter, with discarded cans and rubbish being left on the wall of Kalendar Hall and vomit and human excrement in the doorway into the building.

#### The protection of children from harm

Pupils at the School are aged between 3 and 13 years old. The noise, foul language and the smell of cannabis caused by the public drinking directly outside Kalendar Hall has a negative impact upon the learning experience and safety of the pupils within.

There are serious and substantive safeguarding and welfare concerns for the young children in our care, who are exposed to foul language, raucous behaviour, drug-taking, public drinking, vomit, excrement, urine, litter, an arson attempt.

This behaviour is also evident on the nearby Cathedral Green, where these activities take place directly outside the main entrance to the school for our 9-13 year old pupils and our staff. We are frequently obliged to call 999 to report illegal behaviour, and the children and staff are exposed to: violence (fights spilling into groups of pupils and their parents), drug-taking (cannabis and syringes), public drinking, litter, visibly using the school wall as a place to urinate and defecate, public sexual acts in full view of the children, intimidating and loud behaviour, foul language.

- 3.2 The School has provided further evidence of the problems they have experienced in an email from Lucy Cordon, a visiting music teacher, relating to her experiences of teaching in Kalendar Hall. This is attached as Appendix C.
- 3.3 The Director of Music for the School, Russell Collins, has also provided an email detailing his experiences of anti-social behaviour. This is attached as Appendix D.
- 3.4 The School and the premises licence holder have been in discussion in relation to the matters raised in the review and have sought to agree voluntary measures that can be taken to alleviate the School's concerns. A copy of the email containing the agreed voluntary measures is attached as Appendix E.

#### **4. Legal and Policy Considerations:**

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

- 4.1.1 the steps that are appropriate to promote the Licensing Objectives;
- Protection of children from harm
  - Prevention of public nuisance
  - Public safety
  - Prevention of crime and disorder
- 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/uploads/system/uploads/attachment_data/file/100000/Revised_guidance_issued_under_section_182_of_Licensing_Act_2003_-_GOV.UK_(www.gov.uk).pdf) 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 The Application has been made under section 51 of the Act. Section 52 of the Act states that the Licensing Sub-Committee must, having regard to the Application and any relevant representations, take such steps (if any) as it considers appropriate for the promotion of the licensing objective.

The steps are;

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

#### **5. Recommendations:**

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

**Service Lead – Environmental Health & Community Safety**

Author: Nigel J Marston, Principal 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



**Application for the review of a premises licence or club premises certificate 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 EXETER CATHEDRAL SCHOOL**.....

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51**

**Part 1 – Premises or club premises details**

|   |                             |
|---|-----------------------------|
| <b>Postal address of premises or, if none, ordnance survey map reference or description</b> |                             |
| NEWHAM STORES<br>12/13 SOUTH STREET   |                             |
| <b>Post town</b>  | <b>Post code (if known)</b> |
| EXETER  | EX1 1DZ                     |

|   |
|---|
| <b>Name of premises licence holder or club holding club premises certificate (if known)</b> |
| Mr ROSS W NEWHAM  |

|   |
|---|
| <b>Number of premises licence or club premises certificate (if known)</b> |
| 037753  |

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)



2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

Please tick ✓ yes

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

**Surname**

**First names**

|  |  |
|--|--|
|  |  |
|--|--|

**I am 18 years old or over**

Please tick ✓ yes

**Current postal address if different from premises address**

|  |
|--|
|  |
|--|

**Post town**

**Post Code**

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

**Daytime contact telephone number**

|  |  |
|--|--|
|  |  |
|--|--|

**E-mail address (optional)**

|  |  |
|--|--|
|  |  |
|--|--|

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

EXETER CATHEDRAL SCHOOL  
THE CHANTRY  
PALACE GATE  
EXETER  
DEVON  
EX1 1HX

**Telephone number (if any)** 01392 255298

**E-mail address (optional)** s.webber@exetercs.org



**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

|                           |
|---------------------------|
| Name and address          |
| Telephone number (if any) |
| E-mail address (optional) |

**This application to review relates to the following licensing objective(s)**

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

- 
- 
- 
-

**Please state the ground(s) for review (please read guidance note 2)**

The licensed premises is an independently owned Premier 24 hour convenience store on South Street, Exeter and is situated next door to Kalendar Hall, a building used by Exeter Cathedral School to house its music and drama departments. It has offices, classrooms and individual music practice rooms, as well as the School's only performance and meeting space. Public access for parents and visitors is via a door that opens onto South Street.

The grounds for review are as follows:

The prevention of crime and disorder The sale of alcohol from licensed premises leads to public drinking and drug taking place on South Street, directly outside Kalendar Hall. This has led to incidents of disorder, violence and criminal damage to the building and most recently an attempt at arson.

Public safety As above. The regular disorder caused by public drinking not only affects the staff and pupils in Kalendar Hall, but also members of the public in South Street, especially those waiting at the nearby bus stop.

The prevention of Public Nuisance As above. The public drinking and drug taking leads to litter, with discarded cans and rubbish being left on the wall of Kalendar Hall and vomit and human excrement in the doorway into the building.

The protection of children from harm Pupils at the School are aged between 3 and 13 years old. The noise, foul language and the smell of cannabis caused by the public drinking directly outside Kalendar Hall has a negative impact upon the learning experience and safety of the pupils within.

There are serious and substantive safeguarding and welfare concerns for the young children in our care, who are exposed to foul language, raucous behaviour, drug-taking, public drinking, vomit, excrement, urine, litter, an arson attempt.

This behaviour is also evident on the nearby Cathedral Green, where these activities take place directly outside the main entrance to the school for our 9-13 year old pupils and our staff. We are frequently obliged to call 999 to report illegal behaviour, and the children and staff are exposed to: violence (fights spilling into groups of pupils and their parents), drug-taking (cannabis and syringes), public drinking, litter, visibly using the school wall as a place to urinate and defecate, public sexual acts in full view of the children, intimidating and loud behaviour, foul language.

Please tick ✓

yes

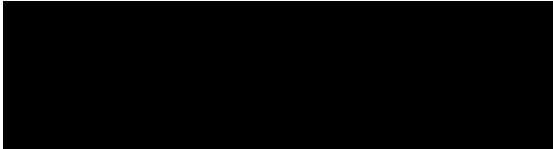
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (please read guidance note 5). *If signing on behalf of the applicant please state in what capacity.*

Signature



Date

23<sup>RD</sup> APRIL 2024

Capacity Director of Finance and Operations, Exeter Cathedral School

|  |                          |
|--|--------------------------|
| <b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6)<br>Mr Steven Webber<br>Director of Finance and Operations<br>Exeter Cathedral School<br>The Chantry<br>Palace Gate |                          |
| <b>Post town</b> Exeter  | <b>Post Code</b> EX1 1HX |
| <b>Telephone number (if any)</b> 01392 255321  |                          |
| <b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> s.webber@exetercs.org  |                          |

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

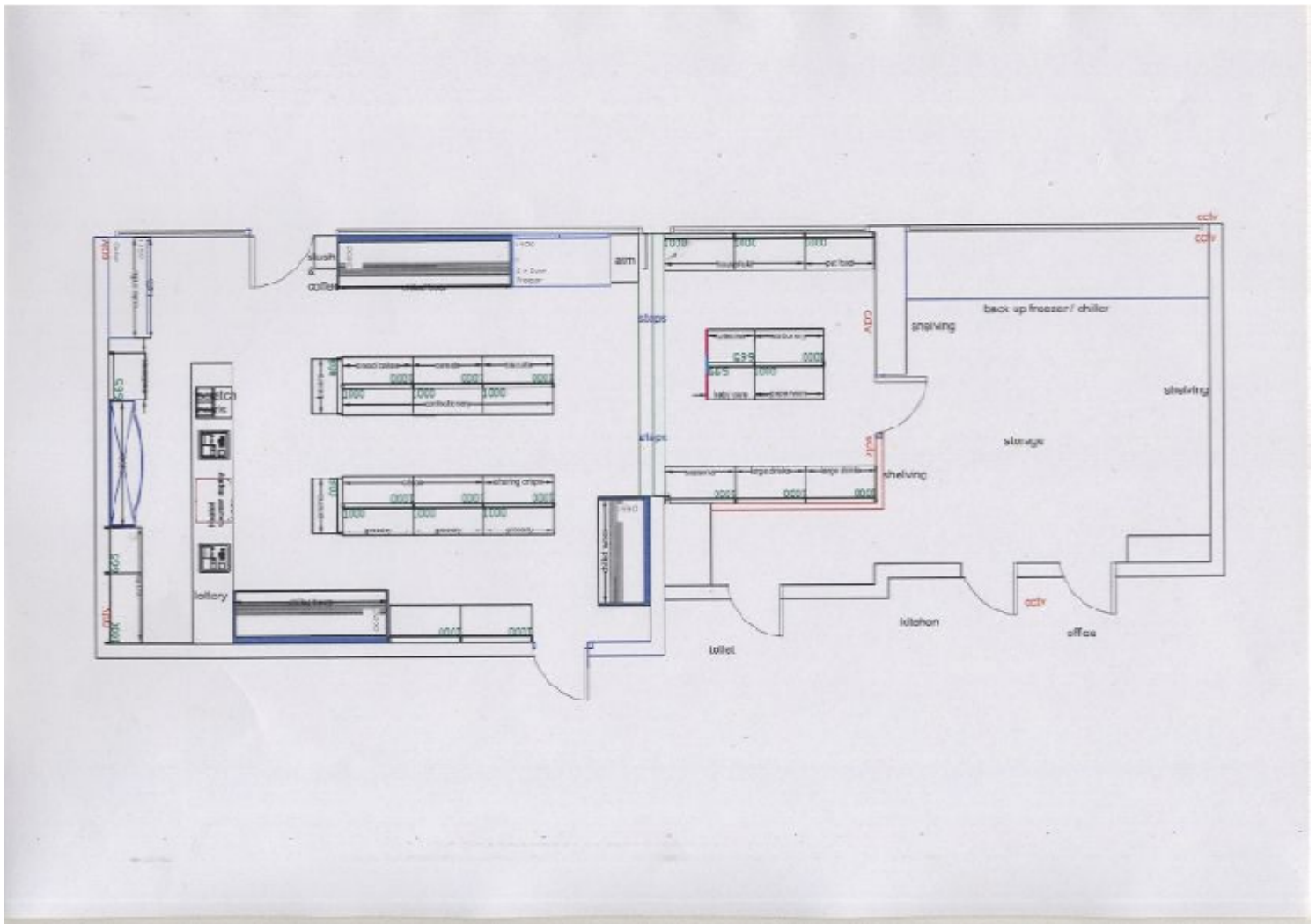


# Latest Plan of Premises details for Newham Stores

Details entered: 30 July 2014 at 9:10 by Sue Robins  
Date requested:  
Date received: **30/07/2014**  
Appointment date:  
Result:  
Name:  
Date commences:

Reason:  
Appointment time:  
Result Date:  
Number:  
Date expires:

Notes:



## Licensing Act 2003 - Premises Licence

### Newham Stores EXE-P00483

#### Part 1 – Premises Details

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

Newham Stores, 12 - 13 South Street, Exeter, Devon, EX1 1DZ

#### WHERE THE LICENCE IS TIME LIMITED, THE DATES

Not applicable, licence is not time limited.

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Supply of Alcohol  
Late Night Refreshment

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

##### Supply of Alcohol (Alcohol is supplied for consumption off the Premise)

Monday to Sunday 06:00 - 02:00

##### Late Night Refreshment (Indoors)

Monday to Sunday 23:00 - 05:00

#### THE OPENING HOURS OF THE PREMISES

Monday to Sunday 00:00 - 00:00

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

Alcohol is supplied for consumption OFF the Premises

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

Ross W Newham Newham Stores

Email address

Email address

newhamstores@hotmail.com

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

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

Ross W Newham Newham Stores

**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. TE1000840

Licensing Authority: Teignbridge

## ANNEX 1 – MANDATORY CONDITIONS

### 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 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.

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) value 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.

## ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE



## **ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

CCTV will be installed and maintained to the satisfaction of the Police. CCTV cameras will be placed inside and outside the premises.

A minimum of 1 door supervisor will be required on Friday nights and Saturday nights from midnight until the conclusion of the alcohol sales period

Door supervisors will liaise with other door supervisors in the vicinity via radio or personal contact to ensure all patrons have left the area and are not congregating outside the premises

A suitable and sufficient risk assessment will be produced to identify the need for door supervisors at any other time or on any other occasion

A notice shall be prominently displayed identifying the period when alcohol sales are not being undertaken

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the area quietly.

All members of staff employed in the sale/supply of alcohol shall receive induction training for age restricted products and also training to recognise persons who are drunk and how to refuse service.

## **ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING**

### **ANNEXE 3 - CONDITIONS ATTACHED AFTER A HEARING**

There shall be no irresponsible promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.

All spirits shall be located behind the counter.

There shall be no sale of single cans of beer, lager or cider of 6% ABV or above from the premises.

No deliveries to the premises shall be arranged between 23.00 and 07.00.

No waste or recyclable materials, including bottles shall be moved, removed or placed in outside areas between 23.00 and 07.00.

## **ANNEX 4 – PLANS**

Please see attached



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

Tel: 01392 265 702

Email: [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk)

## LICENSING ACT 2003

### APPLICATION TO REVIEW A PREMISES LICENCE UNDER SECTION 51 OF THE LICENSING ACT 2003

Notice is given that an application has been made to Exeter City Council, as the licensing authority, for the review of the premises licence in respect of Newham Stores, 12-13 South Street, Exeter, EX1 1DZ.

The grounds for the review are:-

**Incidents of disorder, violence and criminal damage to Kalendar Hall related to alcohol sales from the above premises.**

Applications can be viewed at **Exeter City Council, Civic Centre, Paris Street, Exeter, EX1 1RQ**. Monday to Friday 09:00 to 16:00.

Representations must be made in writing by e-mailing [licensing.team@exeter.gov.uk](mailto:licensing.team@exeter.gov.uk) or by posting to the above address by 22<sup>nd</sup> May 2024

**IT IS AN OFFENCE** knowingly or recklessly to make a false statement in connection with an application for which you may be liable to an unlimited fine on summary conviction.

Date of Application: 23.04.2024

This page is intentionally left blank

## Appendix C

I write this e mail to you with concerns of the behaviour I often witness whilst instrumental teaching in the down stairs practise rooms at ECS. In particular the incident on the 20th of October, which was very distressing for me and my pupils. This incident carried on for most of the day and in that period I taught children from year 3 and up. Through out the day I heard very fierce arguments happening outside my window, screaming and shouting very inappropriate words (much swearing and threatening to each other. Also bottles broken and it sounded like they were brandishing the broken bottle to each other or someone. I must stress that this is not the first time I have heard distressing and inappropriate behaviour through to my teaching room (but perhaps not quite to this extent before). In fact, I have taken in recent to not opening the windows in fear something may happen to a pupil or myself. I have had persons putting their hand up through the window, slam the window shut, try and communicate inappropriately through the window, smoking directly outside, and I have heard people obviously taking drugs just outside the window. I do feel this is definitely a safeguarding issue and one that should not be ignored. As a mother and parent myself, I would be horrified if my children had to experience some of the unsociable behaviour outside my window, which I can still hear when the window is shut.

I did feel quite anxious after the incident on Friday the 20th, and it does leave me feeling quite nervous when teaching in case we have an other incident.

Unfortunately it is not an unusual to hear things like this when I am teaching, I quite often hear very inappropriate conversations just outside my teaching room, sometimes this is so loud I can still hear this with the windows shut. I often have to respond to my pupils with reassuring words or tell them to try and ignore it. This is not acceptable, we have a duty of care for these children, and I feel quite strongly we need to shield them from such behaviour.

I hope that you may consider measures to discourage people from congregating outside our building, and certainly better windows for soundproofing and safety.

Yours sincerely

Lucy Cordon

This page is intentionally left blank

Appendix D

First word document from a VMT for chat with premier store owner.

My own list of:

Vomit in the doorway (and through the door where pupils can contact it on the carpet)

Faeces in the doorway

Screaming shouting (lasting hours)

Foul language

Bottles being broken

Fights

Obscene conversation, direct quot

[REDACTED]

All in clear earshot of children having lessons. I'm sure you're aware but just in case.

R

**Russell Collins**  
**Director of Music**

**Exeter Cathedral School**

The Chantry, Palace Gate

Exeter EX1 1HX

[www.exetercs.org](http://www.exetercs.org)

This page is intentionally left blank



## Appendix E

Dear Ross

It was good to meet you today. Thanks so much for coming in to chat – I hope the fish and chips were good.

I really enjoyed getting to know you a bit, and hearing about your journey into retail. It was interesting to get an insight into the trials and triumphs of your South Street store, and I am really grateful to you for sharing your experiences, your wisdom and your expertise. It was good to walk round our site together and to be able to point out some of the most challenging spots on the edges of our city-centre campus. It was interesting to hear that you are similarly affected by and frustrated by illegal/anti-social behaviour, and of the steps you are taking to minimise this. Thank you for taking the time to walk the site, and allowing me to show you the music practice rooms where much of the day-time activity from the Kalendar Hall wall is felt most acutely, and for sharing that you weren't aware of the full scope of this behaviour prior to reading the report.

I was reassured by our meeting and by your comments about wanting to work together to find the same positive outcomes. I hope you came away knowing that this feeling is reciprocated. It is great that we have agreed to keep in touch.

Thank you for the advice that you offered on some of the specific issues, and how you might approach bringing about some short-term solutions to some of the difficulties we are experiencing. In particular, I have noted the practical suggestions to:

- Replicate the black fencing outside our Evans building onto the other side of the protruding wall, thereby removing the alcove currently used as a toilet
- Put the boarding on the inside of the Kalendar Hay Lane gate
- Consider a roller shutter on the outside of Kalendar Hall to remove the alcove outside of school hours. Your thought is that we would not require consent for this.
- Confirm our wish to join the ebac scheme

You shared with me that your staff are trained to: check to see if the alcohol purchased in the store is consumed on the wall outside the store which runs along Kalendar Hall; where this is the case, those individuals are given one chance only – and will not be served alcohol again by your team. Thank you.

As a result of our discussions, you have offered to change the hours during which you sell alcohol. You currently start at 6am, and your suggestion was that it may be the case that individuals are buying alcohol at 6am, consuming it and then littering/urinating/smashing the bottles/behaving in an antisocial manner before 8am – before the streets have been swept/police patrols have begun etc – at which point the school opens and finds the evidence of/bears the brunt of these behaviours. You offered to restrict the sale of alcohol until 8am, by which time the school will have opened. I think this is an excellent step forward, and a good example of responsible business-ownership and a community-minded approach. Thank you. I understand that the sale of alcohol up until 2am is a major source of revenue for you, that being the time when students are leaving pubs/clubs etc. I was interested to learn that during these times, known individuals who are seeking alcohol or antisocial behaviour are less likely to be in and around the store as they are deterred by the presence of groups of students.

Let's stay in touch with each other, and I hope you will come and visit the School again next term so we can keep our dialogue going. You will be very welcome indeed.

Yours with good wishes

## Appendix E

James

### Confirmation of Agreed Voluntary Changes from Ross Newham, Newham Stores

Dear Nigel,

As discussed with the Cathedral School, I offered to voluntarily change the start time for alcohol sales to 8am daily, to reduce any potential impact before they open up the school each day. Additionally, to deter any undesirables purchasing single cans to consume on the street, I removed the option to split 4 packs down on Strongbow, San Miguel and Desperados (they were the only single cider/beer can options anyway). I made this change with immediate effect. I'm happy to carry this policy on, with no intention of reverting back, but I'd like this to remain a voluntary condition as opposed to one mandated on my license. I cite that close-by rivals Sainsburys in the Guildhall and Tesco on the High Street have 6am licenses, but don't use them, along with no restriction on super-strength alcohol sales.

Regards, Ross Newham.