

Exeter City Council – Licensing Act 2003

REPRESENTATION FORM

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

Your full name	Gareth Ballyn
The name of the organisation / body you represent (if appropriate)	n/a
Postal address	49 South Street, ex1 1ee
Email address	gballyn@btinternet.com
Contact telephone number	

Name of the premises you are making a representation about	Stripes pizza
Address of the premises you are making a representation about	30 South Street Exeter

Your representation must relate to one of the four Licensing Objectives

Licensing Objective	Yes Or No	<i>Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	yes	<p>***Please see attached article***</p> <p>As a resident of South Street, I experience first-hand the impact of anti-social behaviour caused by drinking – to illustrate this I attach a recent article about South Street from Devon Live.</p> <p>Immediately above Stripes are residential flats which I believe are social housing. These residents will be impacted by a venue being open and serving alcohol until 3 am. If the properties above were privately rented then tenants would be able to move out easily if they were impacted by a local business. However, as a social housing tenant myself I know that they are not able to relocate if they are experiencing issue with neighbours/neighbouring businesses and so will have to tolerate unreasonable noise and disruption. Stripes also has on street seating and tables which I imagine would be used for customers until 3 am.</p> <p>In the article attached I notice that Premier have voluntarily changed the hours that they don't sell alcohol from 3am - 6am to 2am – 6am. My logical thought is that if I was looking to purchase alcohol between 2am and 3am I would just head 30 seconds down the road to Stripes Pizza.</p> <p>As a resident of South Street, I am really keen for it to be a diverse and thriving street for people to earn a living and to live. I'm also aware that some of the units are empty and know that it takes commitment, hard work and money to start a new business. I don't want to deny people the right to do that but just want their businesses not to impact on local residents and for opening hours to be reasonable for a residential area. Especially on a street where we already</p>

		<p>have to tolerate very high levels of anti-social behaviour.</p> <p>I have been actively engaging with the plans for redevelopment in the city and note that South Street is eventually going to be part of that. I hope that the city council licencing team will consider carefully the impact of late-night venues on the residents and also visitors' perceptions of certain parts of the city. If plans for change are to be meaningful and successful then licencing teams need to play their part in changing those perceptions now.</p>
Public safety	yes	***Please see attached article*** and see above
To prevent public nuisance	yes	***Please see attached article*** and see above
To protect children from harm	yes	<p>***Please see attached article***</p> <p>Stripes is very near the cathedral school – please see attached article about the impact of anti-social behaviour caused by alcohol on South Street. Also, please note that directly above the premises are residential flats where families live.</p>
<p>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).</p>		<p>The licence should be operating until 11pm?</p> <p>a condition that they have proper licensed security on the door in the same way that Newham stores (on south street)</p> <p>no outside seating after a specified time.</p> <p>If there are no problems then look at temporarily extending the licence to see how it is managed?</p>

Signed:

Gareth Ballyn

Date: 20/7/24

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.

Article from Devon Live

5/6/24

Exeter schoolchildren 'exposed to violence, drug taking and sexual acts'

Newham Stores on South Street has agreed to "voluntary" changes to the hours it sells alcohol which Exeter Cathedral School says has contributed to anti-social behaviour

South Street, Exeter, is troubled by anti-social behaviour

An Exeter school has said its pupils have been exposed to violence, drug-taking and public sexual acts by street drinkers in the city centre. One teacher says she has even feared for the safety of herself and pupils.

Exeter Cathedral School has applied for a review of the premises licence held by Newham Stores, the Premier Express store on South Street. The school claims that alcohol sales at the shop have contributed to violence and damage to Kalendar Hall, the school's music building.

Responding to the application last month, shop owner Ross Newham said he was "disappointed" but had agreed to meet with the headmaster to find a solution. He said that he is also "frustrated" by issues of anti-social behaviour on South Street and that his store was not the sole cause.

The application will be discussed by Exeter City Council's Licensing Sub-Committee at a meeting next Wednesday, June 12. Ahead of the meeting, more details of the school's concerns have been published online.

In documents submitted as part of the application, Exeter Cathedral School claims that people drinking alcohol purchased from Newham Stores have been involved in violence and disorder outside Kalendar Hall, including an arson attempt. The school says that litter, including discarded cans, is left on the wall and they have found vomit and human excrement in the doorway into the building.

The application also states that the school has "serious and substantive safeguarding and welfare concerns for the young children in our care". They say children have been exposed to violence, drug-taking and public sexual acts on the nearby Cathedral Green.

Exeter Cathedral School says: "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."

A visiting music teacher Lucy Cordon has shared her experience of working in Kalendar Hall as part of the application. While teaching on October 20, 2023, she says she heard "very fierce arguments" and bottles smashing outside her window. She says she now keeps the windows shut as she fears for the safety of herself and pupils after incidents of people "putting their hand up through the window, slam the window shut, try and communicate inappropriately through the window".

She added: "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."

Following a meeting, Ross and the school's headmaster James Featherstone say they have agreed to some solutions. The store could put back its alcohol sales to 8am to prevent anti-social behaviour in the area before the school opens.

Currently, Newham Stores makes full use of its licence to sell alcohol from 6am to 2am everyday. Ross says he is happy to make the change "voluntarily" but would like to avoid an official change to his licence.

Writing to the headmaster, Ross said: "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."