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Date: Wednesday, 28 January 2015

Governance Support  
Town Hall  
Castle Circus  
Torquay  
TQ1 3DR

Dear Member

**LICENSING SUB-COMMITTEE - THURSDAY, 5 FEBRUARY 2015**

I am now able to enclose, for consideration at the Thursday, 5 February 2015 meeting of the Licensing Sub-Committee, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>	<b>Page</b>
6.	<b>Licensing Act 2003 – An application for a New Premises Licence in respect of Las Iguanas, Unit 4, Abbey Sands, Torquay TQ2 5FB</b>	(Pages 30 - 38)

Yours sincerely

Kay Heywood  
Clerk

# Agenda Item 6

## Appendix 6

**From:** Paul Uren [<mailto:paul.uren@TLTsolicitors.com>]  
**Sent:** 27 January 2015 09:56  
**To:** Guy, Mandy  
**Cc:** Matthew Phipps  
**Subject:** Las Iguanas [TLT-TLT.FID3259521]

Hi Mandy,

I thought it might be useful to provide you a very brief note on the Las Iguanas portfolio.

They currently have 38 premises across the United Kingdom.

Our statistical assessment is that:-

- 16 of these premises are High Street with mixed use such as offices and residential above or nearby.
- 12 are based on Leisure complexes (8 of which are mixed use with offices and residential nearby).
- 2 are on out of town leisure complexes, one of those having a hotel above.
- 7 are based within existing shopping centres with one other unit being situated within a mixed residential and retail development.

I hope this is useful and Matthew will be relying on these stats during the proceedings at the Licensing Committee hearing, so would be grateful if these are included in the papers on the day.

Kind regards

Paul Uren  
Real Estate Group  
for TLT LLP

Mr P Strick  
General Manager, Torbay Hospital  
Hengrave House  
Lawes Bridge  
TORQUAY TQ2 7AA

Paignton Police Station  
PO Box 1  
PAIGNTON  
TQ3 2YF

RPS/LM

20 June 1995

(01803)

841255

CSUPT/F/jds/ced

Ch Supt Seaton

Dear

Thank you for your letter dated 13 June 1995 and the possibility of you making a general statement regarding the use of strengthened glasses in our night clubs.

This initiative began in 1993 when I supported the Torbay Borough Council's decision to add a condition whereby all drinking glasses in use in night clubs should be of a type, when smashed would fragment and not leave jagged edges. Only one club in Torbay dissented and went to Law in objection. As a result the condition placed on all premises with the benefit of a Special Hours Certificate (those that stay open after normal permitted hours) was amended to say all glasses in which drinks are served shall be of strengthened glass and no drinks shall be served in a bottle from which it is intended that a customer will drink.

This condition became enforceable from December 1994 and to date the police have had no reported assaults involving the use of bottles and glasses. I would like to publicise this success. I feel added weight would be given if the Hospital felt that there had been a decrease in the amount of patients that you are dealing with who have injuries caused by a bottle or a glass that occurred in one of Torbay's night clubs.

A general enquiry to this effect has been made by one of my officers to Mr Hugh Walters' office. However, I am sorry to hear that Mr Walters is indisposed and we were not able to gain any information.

I look forward to hearing from you and should you require any further information please do not hesitate to contact me.

Yours sincerely



J D Seaton  
Chief Superintendent

# Agenda Item 6

## Appendix 8



DEVON & CORNWALL  
CONSTABULARY

The Designated Premises Supervisor  
«Premises»  
«Add1»  
«Add2»

Licensing Department  
PO Box 1  
PAIGNTON  
Devon  
TQ3 2YF

Your ref:	Date: 24 April 2007	Telephone: 08452 777444	Direct Dialling: 01803 841327/841287
My ref: Lic/S&W/ih/	Please ask for: Licensing Dept	Extension:	Fax: 01803 841145

Dear Sir/Madam

Following the agreement to allow a later entry and re-entry time at your premises, you will remember that two additional conditions have been imposed on your Premises Licence. One of these is in relation to the wearing of a corporate high visibility jacket by your front of house doorstaff.

As promised earlier this year, we have now arranged an opportunity for both you and your doorstaff to view and decide on these jackets (and reflective vest for the summer) that best suits your needs.

With this in mind, I would like to take this opportunity to invite you and as many of your doorstaff as possible, to attend the English Riviera Centre, Chestnut Avenue, Torquay on Thursday the 17<sup>th</sup> of May at 2 pm to view the jackets and vote for the garment of your choice.

For your information, Torbay Safer Communities has kindly agreed to subsidise the cost of the jackets, but there will be some cost to be met by you. My licensing team will be available at the event and I have asked them to organise the eventual order and collect your eventual contribution.

You now have the wearing of high visibility jackets as a condition of your Premises Licence and your positive participation in this project is expected.

I believe that these jackets will not only make your doorstaff more readily identifiable, but will help to make our public feel much safer when they are enjoying our night-time economy and will help to prevent crime and disorder.

If you require any further information, please contact my Licensing Department on the above number.

Yours faithfully

Inspector G Mayhew  
Torbay Police



**LAS IGUANA'S, UNIT 4, ABBEY SANDS, TORQUAY, TQ2 5FB**

**Shiraz, Victoria Parade, Torquay**

Sale of Alcohol: Monday to Sunday 10.00 am to 2.00 am

Opening Hours: Monday to Sunday 9.00 am to 2.30 am

Conditions:

On every occasion that the premises sells alcohol after midnight and then closes after 0030 hrs SIA door staff to be employed from 2100 hrs until closing.

All drinks to be served in shatterproof glasses and no alcohol to be served in glass bottles from which it is intended or likely that a person shall drink.

If there is a requirement placed upon a premises licence for Security Industry Authority (SIA) trained stewards then the ration of stewards to customers on the premises will be no less than 1:75.

**Vaughans, Victoria Parade, Torquay**

Sale of Alcohol: Monday to Thursday 9.00 am to Midnight

Friday and Saturday 9.00 am to 1.30 am

Opening Hours: Monday to Thursday 8.00 am to 1.00 am

Friday and Saturday 8.00 am to 2.00 am

Conditions:

On days when the premises sells alcohol after midnight, and remains open after 0030 hrs, no drinks shall be served after 2200 hrs in glass bottles from which it is intended or likely that a person shall drink.

On every occasion when the premises sells alcohol after 12 midnight and remains open after 0030 hrs, SIA door stewards shall be employed on the premises from 2200 hrs until closing, at a ratio of 1:100 customers.

Between 0800 hrs and 2000 persons below the age of 18 must only be permitted in the food area.

Persons under the age of 18 when accompanied by an adult can use the Pavement Cafe area from 0800 – 2300 hrs.

**Banx, Fleet Street, Torquay**

Sale of Alcohol: Sunday to Thursday 8.00 am to Midnight

Friday and Saturday 8.00 am to 1.00 am

Opening Hours: Sunday to Thursday 9.00 am to 12.30 am

Friday and Saturday 9.00 am to 1.30 am

Conditions:

On every occasion that the premises sells alcohol after midnight and then closes after 12.30 am, SIA door staff shall be employed from 9.00 pm until closing.

All drinks must be served in toughened or strengthened glasses and no alcohol to be served in glass bottles from which it is intended or likely that a person shall drink after 2300 hrs.

If there is a requirement placed upon a premises licence for Security Industry Authority (SIA) trainer stewards, then the ratio of stewards to customers on the premises shall be no less than 1:75.

### **Blu Cargo, Fleet Street, Torquay**

Sale of Alcohol:     Sunday to Thursday 8.00 am to midnight  
                              Friday and Saturday 8.00 am to 1.30 am  
Opening Hours:     Sunday to Thursday 9.00 am to 12.30 am  
                              Friday and Saturday 9.00 am to 2.00 am

Conditions:

On every occasion that the premises sells alcohol after midnight and then closes at 12.30 am, SIA door stewards shall be employed from 9.00 pm until closing.

All drinks must be served in toughened or strengthened glasses and no alcohol shall be served in glass bottles from which it is intended or likely that a person shall drink after 11.00 pm.

The ration of stewards to customers on the premises shall be no less than 1:75.

### **Rock Garden, Swan Street, Torquay**

Sale of Alcohol:     Monday to Wednesday 11.00 am to 11.00 pm  
                              Thursday to Saturday 11.00 am to 2.00 am  
                              Sunday            Noon to 10.30 pm  
Opening Hours:     Monday to Wednesday 11.00 am to 11.30 pm  
                              Thursday to Saturday 11.00 am to 2.30 am  
                              Sunday Noon to 11.00 pm

Conditions:

On any Thursday, Friday, Saturday and Sunday nights that the premises remain open for the sale of alcohol after midnight and then closes after 0030, SIA door supervisors shall be employed on the premises from 2200 until close, at a ratio of one supervisor per one hundred customers (this condition shall also apply on

Christmas Eve and New years Eve when they do not fall on a Thursday, Friday, Saturday or Sunday). On all other occasions the premises licence holder shall risk assess the requirement for door supervisors and employ such door supervisors, if at all, in such numbers and at such times determined by that risk assessment.

All drinks must be served in toughened, strengthened, polycarbonate or plastic glasses. No alcohol shall be served in glass bottles from which it is intended or likely that customers shall drink from 2000 onwards.

No person under the age of 18 shall be permitted into the premises after 8 pm.

### **Lime Tree, Dartmouth Road, Paignton**

Sale of Alcohol: Monday to Thursday 11.00 am to Midnight  
Friday and Saturday 9.00 am to 2.00 am  
Opening Hours: Monday to Thursday 11.00 am to 12.30 am  
Friday and Saturday 9.00 am to 2.30 am

Conditions:

On every occasion that the premises sells alcohol after midnight and then closes after 12.30 am, SIA door stewards shall be employed on the premises from 10 pm until closing, on a ratio of 1 steward per 100 customers.

Whenever the premises remain open after 12 midnight, all drinks must be served in toughened, strengthened, polycarbonate or plastic glasses from 10 pm and no alcohol shall be served in glass bottles from which it is intended or likely that a person shall drink.

No under 18 year olds shall be in the premises after 10.00 pm.

### **Henrys, Torbay Road, Paignton**

Opening Hours: Sunday to Thursday 8.00 am to 12.30 am  
Friday and Saturday 8.00 am to 2.00 am  
Sale of Alcohol: Sunday to Thursday 8.00 am to midnight  
Friday and Saturday 8.00 am to 1.30 am

Conditions:

There shall be no drinks served in glass bottles from which it is intended or likely that a person shall drink after 2200. The premises shall serve all drinks in toughened or strengthened, polycarbonate or plastic glasses.

On every occasion that the premises sells alcohol after 0030 SIA door steward shall be employed at the premises from 2100. SIA door stewards shall be employed on the ration of 1 steward per 100 patrons. All door stewards employed on front of house security duties shall wear reflective jackets.

Persons under the age of 18 years shall be prohibited from entering or remaining on the premises after 2200 hrs.

**OTHER PREMISES WITH HIGH VISIBILITY JACKET REQUIREMENT FOR DOOR STEWARDS, TOGETHER WITH DETAILS OF ANY RESTRICTIONS ON UNDER 18'S:**

Green Ginger, Torquay – no under 18's after 2200.

JD's Diner & Bar – no children downstairs between 1900 and 0800, children permitted to upstairs area for food and functions accompanied by an adult.

Mambo, Torquay – no under 18's after 2300 unless attending private function on 3<sup>rd</sup> floor where they can stay until 0100.

London Inn – no children after 2100 unless eating when they can stay until 2130 hrs

Apple and Parrot/Tiffanys – no restriction on under 18's

Park Lane, Torquay – no under 18's after 2130 unless attending an under 18 event.

Cinnabar, Torquay – no children after 2200 hrs unless attending a private function.

Green Room, Torquay – no children after 1900 hrs.

Gshotz, Torquay – no under 18's after 1900

Seamus O'Donnells, Torquay – no under 18s on first floor after 2200 hrs unless attending a private function



# Fastest steam train in the west

FOR the first time in its history, the steam locomotive Union of South Africa will be heading along the Newton Abbot to Kingswear line this weekend.

The former London and North Eastern Railway Class A4 engine's appearance will be a welcome surprise for many railway fans because a former Great Western steam engine had been expected to make the journey.

But the promoter of the trip, Past Time Rail, changed its plans for this Sunday and opted to use Union of South Africa instead.

Barry Cogar, general manager of the Paignton and Dartmouth Steam Railway, said: "This will be an exciting day for us, and a first for this notable class of engine on our railway."

"Although Class A4 streamlined locomotives have made occasional trips on the main line between Paddington and Plymouth, the class has never been seen on the Newton Abbot to Torquay branch.

"As a youngster I always admired the sleek lines and high-speed exploits of the LNER A4s and this

# Teenager broke into mum's home

## Stole cash and phone

By STAFF REPORTER

A TEENAGER who has been in 57 foster homes in five years, stole cash from his mother's purse and took her mobile telephone while she was asleep upstairs, a court heard.

David Flay got into his mother's home in Newton Abbot through a toilet window, crown prosecutor Michael Ashby, told the court.

She said the relationship between Flay and his mother was "not good" although he kept in contact with his sister and brother who still lived at home.

### Order

She pointed out that Flay was already subject to a two-year community rehabilitation order which was imposed in Barnstaple for an offence of shoplifting when he claimed he was stealing to eat and to get

Christmas presents for his sister and brother.

Flay, of Combe Cross, Ideford Comb, Newton Abbot, appeared in court where he admitted stealing the telephone and cash after entering a home in Broadlands Avenue, Newton Abbot, on July 4.

He was given a conditional discharge for a year after the magistrates agreed that the rehabilitation order should be allowed to continue. Mr Ashby told the court that Flay was not

allowed in his mother's home unless she was there. When she found the cash and the mobile telephone were missing, she went to Flay's home where she found the phone and took it back.

However, by then Flay had thrown the sim card away, he added.

Flay told police he had gone to his mother's home because he was hungry and needed somewhere to sleep.

Ms Ward said Flay lived in bed and breakfast accommodation with supervision and that he was employed doing holiday work delivering leaflets and cleaning cars.

# Stab case man cleared

A MAN who claimed he stabbed a South Devon drug dealer in self defence has been cleared of wounding charges.

Dennis Queensborough, 38, was acquitted at Exeter Crown Court of wounding Damien Pearce with intent and also found not guilty of the lesser charge of unlawful wounding.

The prosecution claimed that Mr Queensborough went uninvited into Mr Pearce's home in Elm Grove Road, Dawlish and stabbed him in the stomach with a sheath knife.

Mr Queensborough said he went to the house to collect money that was owed to him.

He agreed he went into the house and was being invited. When he got inside he said all he wanted to do was to speak to Pearce about the money he had lent him.

He said he had no intention of being violent and just wanted the money because he was leaving for a working holiday in Spain.

Mr Queensborough said once inside the house, he did not have a chance to speak to Mr

# New bid to halt horror 'glassings'

By PAUL JAMES

POLICE in Torbay today backed a growing campaign urging more licensed premises to introduce safety glasses and bottles so they can't be used as face-smashing weapons.

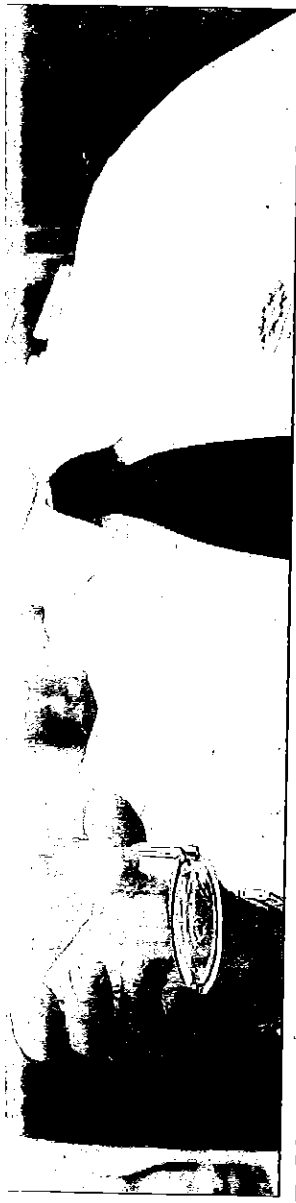
They are behind a law-changing initiative based in Taunton where pretty Louise McClintock met the eight



armed with a hammer and an axe and was screaming and shouting at him.

The jury heard that Mr Queensborough saw a knife in the property and managed to pick it up and lunge at Mr Pearce in self defence.

Mr Queensborough of Milton Road, Exeter had denied both the charges and was cleared after a three day trial.



**SAFETY FIRST: Ken Grewcock of Torquay harbourside's London Inn with a shatter-proof glass.**

PHOTO: Alan Craig. HAC00106\_AC\_001

day, on all nightclub Public Entertainment Licenses which insisted all drinking glasses should be strengthened.

He added: "We would welcome a similar condition to apply to all public houses, but at this time it relates only to the Public Entertainment Licence. Not all pubs have one."

"We commend the Taunton initiative and hope that it is successful. Anything that increases public safety in licensed premises has got to be supported."

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"Since then statistics have shown that we took the right step at the time," he said.

And he promised: "We will to continue to offer people who frequent licensed premises the safest environment."

He said the council would be looking closely at a review of pub safety matters when it became the licensing authority next February.

PC Stanlake said: "In 1994 we worked with the local authority to create a condition, which remains in place to this

day, on all nightclub Public Entertainment Licenses which insisted all drinking glasses should be strengthened.

"The condition also insisted that no drink would be served in a glass bottle."

At the time the level of serious glassings which required hospital treatment was "very high" in Torbay.

"Since the imposition of this condition there have been very few serious assaults within the Bay which have been as a result of people

Wetherspoons' London Inn on Torquay's harbourside, said: "We've used these glasses for as long as I can remember. I think the campaign is a very good idea. I'm all for it."

He said shatterproof glasses had problems of their own because their bulk still made them hefty objects if used wrongly.

Torbay Council's licensing officer Barrie Davis confirmed the borough paved the way for changes nearly 10 years ago.

Some pubs in South Devon have already opted for safer alternatives, among them the Wetherspoons operation which runs watering holes in Torquay, Paignton, Brixham and Newton Abbot.

All the pubs use specially toughened glasses which disintegrate into a thousand pieces when broken instead of leaving deadly shards which can be used as daggers.

Ken Grewcock, manager at

attack which also left her face badly disfigured.

Bay licensing officer Neil Stanlake said the borough was already "ahead of the game" by securing a ruling for strengthened glasses and bottles in all local nightclubs in 1994, although the stricture did not extend to pubs.

In an ideal world, he said, pubs would follow suit. He wished the campaign every success.

"A year later, sister engine Mallard took the world speed record for a steam locomotive of 126mph, which it still holds."

"Union of South Africa was withdrawn from British Railways everyday service in 1966 after 30 years' action, but it is one of three A4 Pacifics which have been kept in working order over the past three decades for use on enthusiast specials."

Book for travel from Bristol to Kingswear on 0871 871 4119.

# Fight witness appeal

TORBAY police are appealing for witnesses to a fight in Paignton on Sunday.

Officers were called to the incident on Torbay Road just after midnight following a report of serious disorder.

Seven people were involved in the fracas near take away Pappas, in Torbay Road.

A police spokesman said: "We were called to a fight outside the take away but we believe there might have been an incident inside a short time before. We would like anyone who may have been inside prior to the fight to contact us."

Two 26-year-old men and a sixteen-year-old boy, who were arrested on suspicion of violent disorder, were released on police bail until next month. Anyone with information call 09452 777444.

# Handbag was stolen at party

A THIEF stole a handbag containing £250 during a party at the Dartington College of Arts on Tuesday night.

The bag was stolen while the party was under way at the reception room between 11.30pm and 1am on Wednesday morning.

The bag, minus the £250, was later found in a gent's toilet at the college.

# The Life and Times of Mr Mutton



# Just George

Book for travel from Bristol to Kingswear on 0871 871 4119.

request.

"The LNER Class A4 Pacific design was an improved and slightly more powerful version of the Class A3 Pacific Flying Scotsman.

"Union of South Africa was one of five Class A4 engines built in 1937, allocated to work the Coronation express between London Kings Cross and Edinburgh in the then unprecedented time of six hours.

"A year later, sister engine Mallard took the world speed record for a steam locomotive of 126mph, which it still holds."

"Union of South Africa was withdrawn from British Railways everyday service in 1966 after 30 years' action, but it is one of three A4 Pacifics which have been kept in working order over the past three decades for use on enthusiast specials."

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