

Wednesday, 9 August 2023

**LICENSING SUB-COMMITTEE**

A meeting of **Licensing Sub-Committee** will be held on

**Thursday, 17 August 2023**

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,  
Torquay, TQ1 3DR

**Members of the Committee**

Councillor Douglas-Dunbar

Councillor Barbara Lewis

Councillor Tolchard

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**Together Torbay will thrive**

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**Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR**

Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk) - [www.torbay.gov.uk](http://www.torbay.gov.uk)

# LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**  
To elect a Chairman/woman for the meeting.
2. **Apologies**  
To receive apologies for absence, including notifications of any changes to the membership of the Sub-Committee.
3. **Minutes** (Pages 3 - 6)  
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 27 July 2023.
4. **Declarations of interests**
  - (a) To receive declarations of non pecuniary interests in respect of items on this agenda  
**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
  - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda  
**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.  
  
(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**  
To consider any other items that the Chairman decides are urgent.
6. **Barton Acorn Youth, Community and Sports Centre, Lummaton Cross, Barton, Torquay** (Pages 7 - 29)  
To consider an application for a Premises Licence in respect of Barton Acorn Youth, Community and Sports Centre, Lummaton Cross, Barton, Torquay.

**Minutes of the Licensing Sub-Committee**

**27 July 2023**

**-: Present :-**

Councillors Johns, Barbara Lewis and Stevens

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**1. Election of Chairman/woman**

Councillor Barbara Lewis was elected as Chairwoman for the meeting.

**2. The John Bull, 68-80 Chatto Road, Torquay, TQ1 4HU**

Members considered a report on an application for a Premises Licence in respect of The John Bull, 68-80 Chatto Road, Torquay.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation objecting to the application for a Premises Licence on the ground of 'The Prevention of Public Nuisance'.	22 May 2023
Member of the Public	Representation objecting to the application for a Premises Licence on the grounds of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'.	28 May 2023
Member of the Public	Representation objecting to the application for a Premises Licence on the grounds of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'.	2 June 2023
Member of the Public	Representation objecting to the application for a Premises Licence on the ground of 'The Prevention of Public Nuisance'.	Received on 5 June 2023

Oral Representations received from:

Name	Details
Applicant's Solicitor	The Applicant's Solicitor outlined the application and together, with the Applicant and the Premises Manager,

	responded to questions from Members.
Member of the Public	A Member of the Public outlined their representation objecting to the Premises Licence and responded to questions from Members.
Member of the Public	A Member of the Public outlined their representation objecting to the Premises Licence and responded to questions from Members.

## Decision:

That the application for a Premises Licence in respect of The John Bull, 68-80 Chatto Road, Torquay be approved as applied for, subject to the following amended and additional conditions:

- 1) There shall be a minimum of 3 members of staff on the premises from 9 pm until the premises close on a Friday and Saturday.
- 2) Notices shall be displayed on the exits to remind patrons to leave the premises quickly and quietly, and not to loiter in the premises surrounding area.
- 3) Notices shall be displayed in the premises outside areas, reminding patrons to be respectful towards residents and to keep noise to a minimum so as to not to unreasonably disturb nearby residents.
- 4) Staff shall routinely monitor the outside area after 9 pm, to ensure that nearby residents are not unreasonably disturbed by its patrons, or that patrons are loitering in the premises surrounding area.
- 5) That the designated smoking area shall be located in the area to the left of the cellar doors when exiting the premises, as defined on the premises plan.
- 6) That there shall be no more than 5 patrons permitted in the designated smoking area after 10pm.
- 7) Patrons using the smoking area after 10pm shall be seated.
- 8) Drinks shall not be permitted in the designated smoking area after 10pm,
- 9) The premise designated smoking area shall be routinely monitored after 10pm and any patron causing a nuisance shall be asked to come inside the premises, and where they refuse to do so, they shall be asked to leave the premises immediately.
- 10) Patrons using mobile phones after 10pm shall only be permitted to do so in the designated smoking area.
- 11) The outside seating areas shall be cleared and closed to all patrons by 10pm every night, save for the designated smoking area.

- 12) Patrons shall be encouraged not to use their mobile phones outside the boundary of the premises.
- 13) An incident book shall be kept on the premises, and all incidents and complaints shall be recorded therein and be made available for inspection by an appointed Responsible Authority Officer on request.
- 14) The placing of refuse, such as bottles into receptacles within the premises outside areas, shall not take place between 9 pm and 9 am.
- 15) All external windows and doors shall be closed after 10 pm.
- 16) A written Noise Management Policy must be kept on the premises and reviewed by the Premises Licence Holder annually or sooner, where required, and be made available for inspection by an appointed Responsible Authority Officer on request.

**Reasons for Decision:**

Having carefully considered all the written and oral Representations, Members resolved to approve the application for a Premises Licence, with the imposition of the amended and additional conditions, as set out above.

In coming to their decision, Members had regard to the proximity of the premises and its neighbouring residential properties, and it being within what is predominantly a residential area; along with the concerns raised by Interested Parties, both in their written and compelling oral Representations by those who attended the Committee hearing, and initially gave serious consideration to refusing this application, as they could not be satisfied in its current form, that the Licensing Objectives would be promoted.

However, as opposed to refusing the Application outright, Members resolved that with the amended and additional conditions which in their deliberation, took careful consideration to craft, resultant of the need to balance the premises intended operation, whilst ensuring promotion of the Licensing Objectives were upheld, and importantly, to address the concerns of those Interested Parties who raised objections, that the premises operation in compliance of those conditions, would promote the Licensing Objectives.

Having been satisfied, on the evidence before them, that historically these premises operations have had a detrimental impact on those living in the immediate vicinity and had undermined the promotion of the Licensing Objectives, and as Members heard, whilst the intended Manager was a previous employee of the premises, Members noted the absence of a Representation from any of the Responsible Authorities. Again, on the evidence before them, Members deduced that such an absence was likely to have been resultant of the lack of complaints and as advocated by one Interested Party, borne out of a fear of reprisal, having experienced conduct by some patrons, which in Members opinion, was wholly unacceptable. In recognising their complaints were valid and that just because they had gone unreported or recorded did not mean they were unjustified, Members were hopeful in granting this application,

and having been present at the Committee hearing and therefore heard what has been said, that the Premises Licence Holder and their intended Manager, will have a zero tolerance to such behaviours and that a banning procedure will be put in place to act as a deterrent, for future unacceptable conduct by its patrons.

On the oral submissions made by the Premises Licence Holder and intended Manager, Members determined it necessary to impose a condition regarding the number of staff being present on the premises on Friday and Saturday nights. Believing that one staff member and the Manager to be too few, when taking into account the amount of monitoring of the outside area the Manager said she would be undertaking. Members were also mindful that should there be an incident on what will be their busiest nights, at least one member of staff would be involved with the second serving patrons, thus leaving no one to maintain the level of monitoring the Manager had committed to.

On the evidence before them, Members noted that the outside area of the premises was of considerable concern to Interested Parties, and they themselves had concerns too. Members determined, with the offer of the Premises Licence Holder, that by relocating the designated smoking area, and subsequently limiting the number of patrons and closing other outside areas at 10pm. this should reduce potential noise nuisance caused to nearby residential properties and promote the Licensing Objective, 'The Prevention of Public Nuisance'.

In conclusion, and whilst Members were reassured by the Premises Licence Holder and Managers commitment to engage with residents to address complaints as they arise, Members noted that a Review of the Premises Licence can be sought by any Interested Party or Responsible Authority should issues arise, as a result of this grant of a Premises Licence.

Chairman/woman

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## **TORBAY COUNCIL**

Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Premises Licence in respect of Barton Acorn Youth, Community and Sports Centre, Lummaton Cross, Barton, Torquay, TQ2 8ET**

Wards Affected: **Barton with Watcombe, Torquay**

To: **Licensing Sub Committee** **17 August 2023**

Contact Officer: **Julie Smart**

☎ Telephone: **01803 208025**

✉ Email: **licensing@torbay.gov.uk**

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### **1. Key points and Summary**

1.1 To consider and determine an application for a new Premises Licence, in respect of the Premise detailed above.

1.2 The application relates to all the Corporate Priorities within the Community Plan.

1.3 The matters raised relate to the Licensing Objectives the “Protection of Children from Harm”.

1.4 The matter must be considered on its merits, having received details of the issues arising either at a hearing or by written Representation. A decision must be made, having considered the Representations, either:-

(a) to grant the licence subject to

(i) such conditions as are consistent with the submitted operating Schedule modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and

(ii) any condition which must under Section 19, 20 or 21 be included in the licence;

(Such conditions may differ in respect of different parts of the Premises and/or different activities).

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

(c) to refuse to specify a person in the licence as the Premises Supervisor;

(d) to reject the application.

*forward thinking, people orientated, adaptable - always with integrity.*

- 1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant, Responsible Authorities and all Interested Parties, following the determination of the matter.

## **2. Application**

- 2.1 An application has been made under Section 17 of the Act for a Premises Licence to permit licensable activities at the Premise detailed above. Details of the relevant pages of the application are shown in Appendix 1.

A brief description of the application, is as follows:-

The provision of Live Music from 1000 hrs to 2200 hrs on Mondays to Thursdays, and Sundays, and from 1000 hrs to 2300 hrs on Fridays and Saturdays, indoors and outdoors.

The provision of Recorded Music from 1000 hrs to 2200 hrs on Mondays to Thursdays, and Sundays, and from 1000 hrs to 2300 hrs on Fridays and Saturdays, indoors and outdoors.

The supply of alcohol for consumption on the premises from 1000 hrs to 2200 hrs on Mondays to Thursdays, and Sundays, and from 1000 hrs to 2230 hrs on Fridays and Saturdays.

The opening hours of the premises between 0900 hrs to 2200 hrs on Mondays to Thursdays, and Sundays, and from 0900 hrs to 2300 hrs on Fridays and Saturdays.

The Applicant has given the following description of the premises: -

“The Barton Acorn Youth, Community and Sports Centre currently has an under-utilised café/hospitality area with adjoining function spaces, and further access to an enclosed community garden. The Centre is undergoing refurbishment and would like to make full use of this space and what it is able to offer to hirers and community events. We would like to be able to offer alcoholic beverages and feel this could help the Centre in terms of fundraising and boosting income. Ideally we would like to licence the whole premises including the garden”

The plan accompanying the application is shown in Appendix 2.

- 2.2 The Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 17(5) but is unable to issue the Licence, as relevant Representations have been received. The Licensing Authority is also satisfied that the Representations have been received within the appropriate time scale and have not been subsequently withdrawn.

We have received 1 Representation from one Responsible Authority, Childrens Services, in relation to the Protection of Children from Harm. This is shown at Appendix 3.

No Representations have been received from any other Responsible Authority or any Interested Party.



- 2.3 The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 2.4 Appropriate Notices have been issued to all parties, as required by the Licensing Act 2003 (Hearing Regulations) 2005, including, where appropriate, details of the Representation and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-
- (a) The holder of the licence against any decision
    - (i) to impose conditions on the licence, or
    - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
  - (b) Any person who made a relevant Representation who desires to contend
    - (i) that the licence ought not to have been granted, or
    - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.
- 2.7 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
  - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
  - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

**Rachael Hind**  
**Regulatory Services Manager (Commercial)**

### **Appendices**

Appendix 1 Relevant sections of the application form

Appendix 2 Plan of the Premises

Appendix 3 Representation from Childrens Services

### **Documents available in Members' rooms**

None

### **Background Papers:**

The following documents/files were used to compile this report:

Torbay Council Licensing Policy 2021-26

\* required information

## Section 1 of 21

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

Your reference  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

\* 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:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

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

Is your business registered outside the UK?  Yes       No

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

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.

**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 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

22,250

### Section 3 of 21

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

### Section 4 of 21

#### NON INDIVIDUAL APPLICANTS

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

##### Non Individual Applicant's Name

Name

Barton Acorn Youth Community & Sports Centre

##### Details

Registered number (where applicable)

300991

Description of applicant (for example partnership, company, unincorporated association etc)

Registered Charity

Continued from previous page...

**Address**

Building number or name	Barton Acorn Youth Community & Sports Centre
Street	Lummation Crosss
District	Barton
City or town	Torquay
County or administrative area	Devon
Postcode	TQ2 8ET
Country	United Kingdom

**Contact Details**

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>
* Date of birth	<input type="text"/> / <input type="text"/> / <input type="text"/> dd mm yyyy
* Nationality	<input type="text"/> <a href="#">Documents that demonstrate entitlement to work in the UK</a>

Add another applicant

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  01 /  08 /  2023  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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 Barton Acorn Youth Community & Sports Centre, currently has an underutilized cafe /hospitality area with adjoining function spaces, and further access to an enclosed community garden. The Centre is undergoing refurbishment and would like to make full use of this space and what it is able to offer to hirers and community events. We would like to be able to offer alcoholic beverages and feel this could help the Centre in terms of fundraising and boosting income. Ideally we would like to license the whole premises including the garden.

*Continued from previous page...*

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

### Section 6 of 21

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

### Section 7 of 21

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

### Section 8 of 21

#### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

### Section 9 of 21

#### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

### Section 10 of 21

#### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

*Continued from previous page...*

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Some events and parties may require amplified live music from a band, a recorded set, DJs, Open Mic & Cabaret Acts.

State any seasonal variations for the performance of live music

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

Garden

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

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



**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors                       Outdoors                       Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for playing recorded music

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

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

#### Section 12 of 21

##### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

#### Section 13 of 21

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

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

#### Section 14 of 21

##### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes  No

#### Section 15 of 21

##### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes  No

##### Standard Days And Timings

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

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

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

Continued from previous page...

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**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

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

Continued from previous page...

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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

State any seasonal variations

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

**Continued from previous page...**

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

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

## Section 18 of 21

### 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.

Staff engaged in licensable activity will receive training and information in relation to:

- i. The Challenge 25 scheme in operation including forms of ID acceptable.
  - ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 the conditions attached.
  - iii. How to complete and maintain the refusal log in relation to the sales of alcohol, in operation at the premises.
  - iv. Recognising the signs of drunkenness.
  - v. The operating procedures for refusing service to anyone who is drunk, under-age or appears to be making a proxy purchase.
  - vi. Action to be taken during an emergency, including reporting an incident to the emergency services.
- Training will be recorded in documentary form and will be refreshed at no greater than 12 month intervals.
  - Training records shall be made available for inspection at copying at reasonable times upon request of an authorised officer of a responsible authority.
  - Training records will be retained for 12 months.

b) The prevention of crime and disorder

The premises shall operate and maintain a digital colour CCTV system to the satisfaction of the Police and Local Authority. As a minimum, the system must:

- i. Cover all public areas of the licensed premises, including entry and exit points. This also includes any outside areas under the control of the premises licence holder
  - ii. Record clear images permitting the identification of individuals and enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.
  - iii. Continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
  - iv. Have a constant and accurate time and date generation.
  - v. Store recordings for a minimum period of 14 days with date and time stamping.
  - vi. Viewable copies of recordings will be provided on request to the police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)
  - vii. The CCTV system will be capable of downloading images to a recognisable viewable format.
- DPS and/or the premises licence holder will be responsible for conducting dynamic risk assessments for the requirement of additional door staff especially during busy periods, public holidays, or any other events such as sporting events or festivals.

- The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:
  - I. Full name
  - II. SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation).

**Continued from previous page...**

III. The date and time they began their duty.

IV. The date and time they completed their duty.

V. The full details of any agency through which they have been allocated to work at the premises if appropriate.

- The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority.

- The register will be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.

- Staff will be expected to report all crime to local police and to keep an incident diary.

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details (select from the following):

i. Any incidents of disorder or of a violent or anti-social nature

ii. All crimes reported to the venue, or by the venue to the police.

iii. All ejections of patrons.

iv. Any complaints received.

v. Seizures of drugs or offensive weapons.

vi. Any faults in the CCTV system.

vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

- Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

- The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

- A written drugs policy is in force at the premises with the objective of securing, as far as reasonably practicable, the safety of patrons and others attending the premises.

**c) Public safety**

A trained member of staff is required to be on the premises at all times and event runners are expected to have the appropriate experience/qualifications and certificate(s) to validate their activities.

Hazardous and dangerous items including equipment and chemicals will not be kept in areas where the public have access.

Appropriate health and safety signage will be used when and where required.

Firefighting equipment and routes will be routinely checked to ensure exits are not left obstructed and are functioning.

Adequate procedures will be implemented to ensure overcrowding (such as that which may cause injury through crushing) does not occur in any part of the premises by:

i. Adhering to capacity limits.

ii. limiting entry during busy periods.

iii. By employing adequate supervision to manage and control the situation.

iv. Provide adequate seating and/or waiting areas.

**d) The prevention of public nuisance**

The Centre will foster a welcoming, community friendly environment.

**Continued from previous page...**

Staff will be trained to ask patrons to leave respectfully and quietly.

Staff will be trained to be vigilant against:

- i. Loitering
- ii. Noise pollution
- iii. The potential for littering
- iv. Antisocial behaviour.

Staff will maintain external areas of the premises.

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

Should issues arise, staff will be deployed as stewards in hi-vis outside the premises in the car park and along the residential exit/entry road (Lummation Cross) to ensure visitors leave respectfully.

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

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement.

Staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18 and staff training will include guidance on how to deal with a suspected proxy sale.

Access to harmful materials and substances will be controlled by making them difficult to access or closely monitored.

Staff will raise concerns to management, the relevant services and/or police, should there be cause for concern in terms of the welfare of minors on the site.

Frequent patrols will enable staff to be maintain a clean and tidy environment, for the safety of public to use at all times.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**



**Continued from previous page...**

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

Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act, 1998. The information that you provide on this form will only be used in the processing of the application form, and will only be disclosed where necessary under any applicable legislation and certain circumstances should the application be successful such as publication of business details on a public register, it may also be shared for the purposes of enforcement

You have the right to access your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council's Information Governance team on 01803 207467. Further information can be found on the Information Governance pages on Torbay Council's internet pages at [www.torbay.gov.uk](http://www.torbay.gov.uk)

\* Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise

\* I have gained permission from all licence holders in making this application

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15).

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

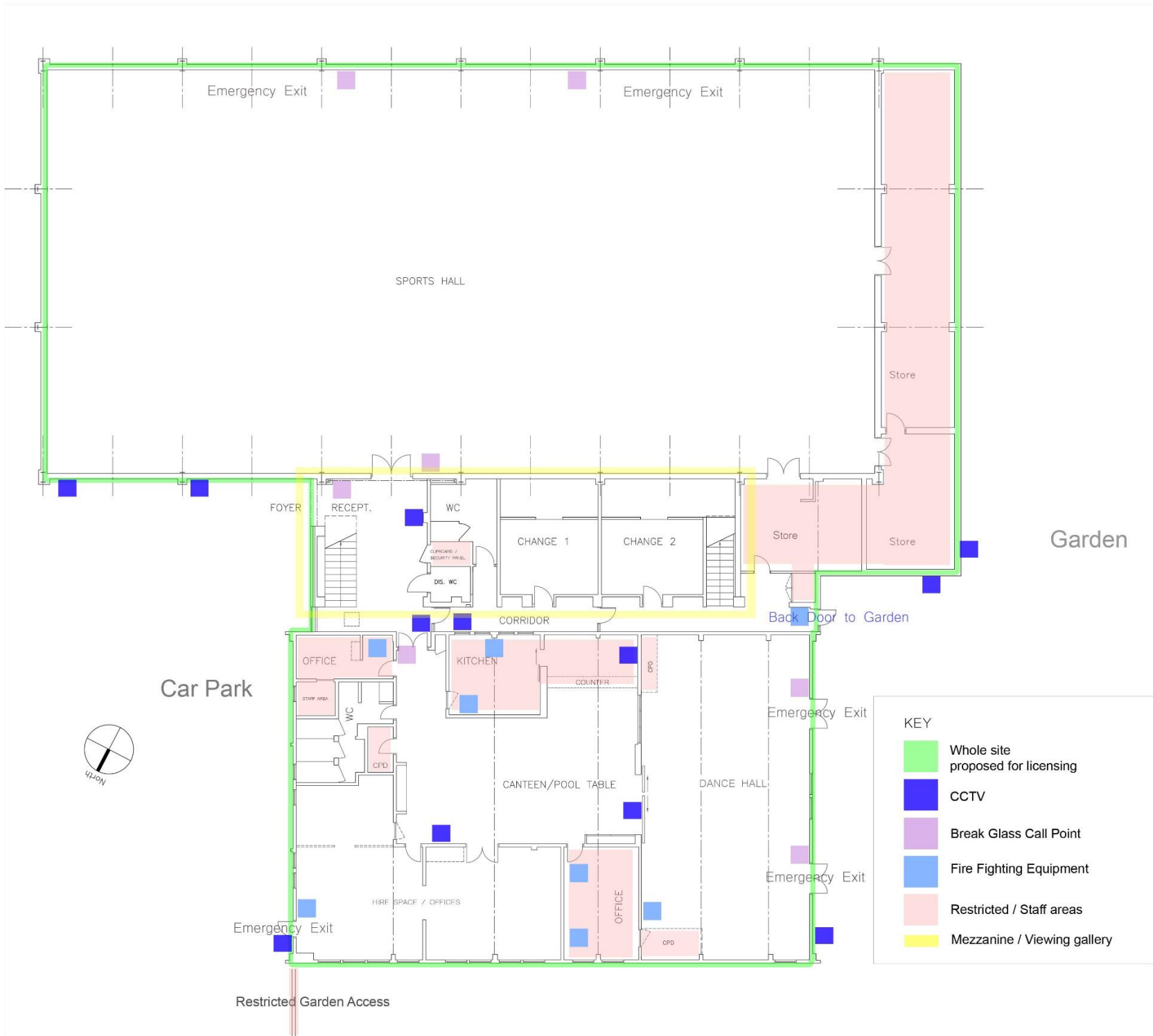
Once you're finished you need to do the following:

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/torbay/apply-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 LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

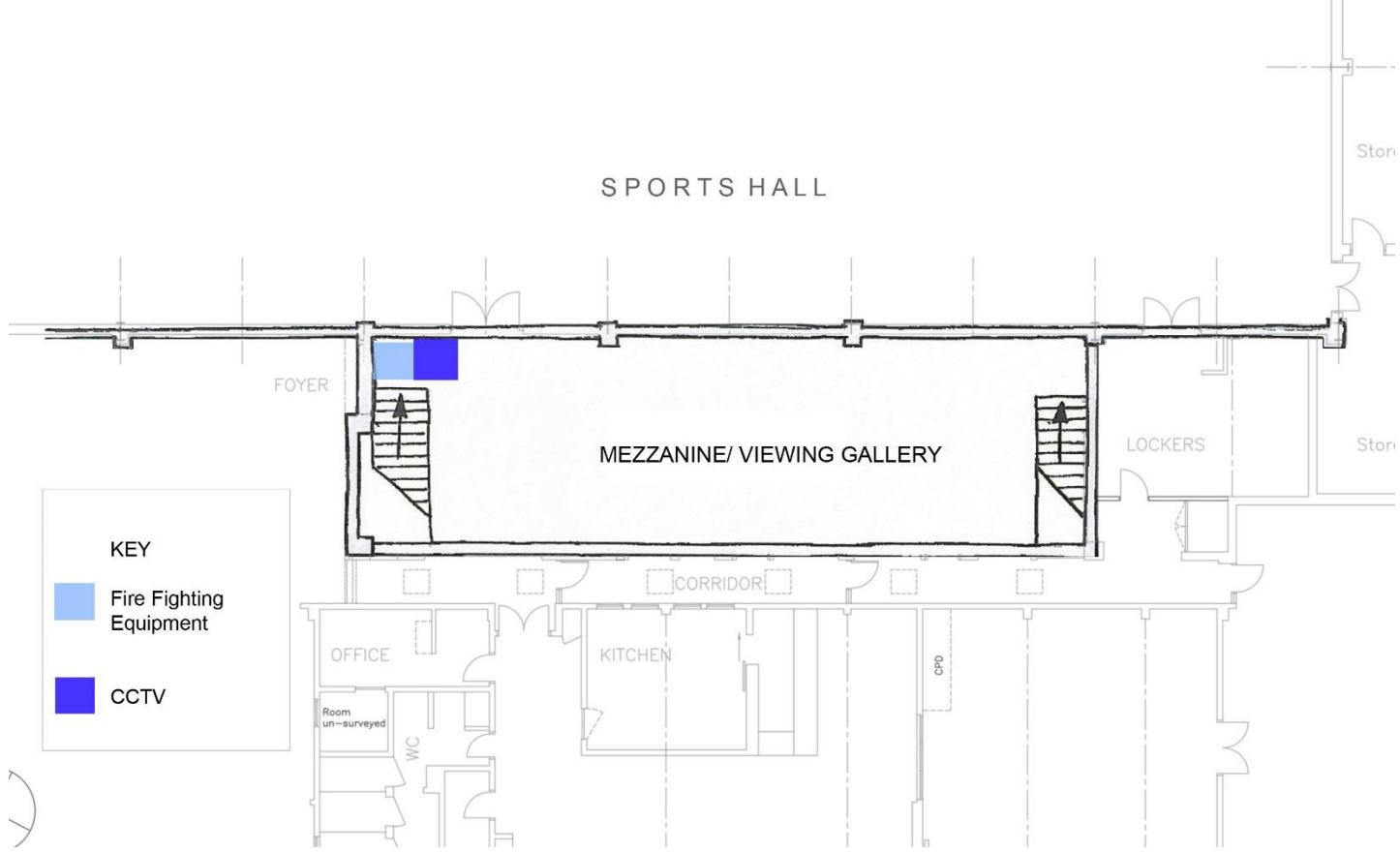
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**



**KEY**

- Whole site proposed for licensing
- CCTV
- Break Glass Call Point
- Fire Fighting Equipment
- Restricted / Staff areas
- Mezzanine / Viewing gallery

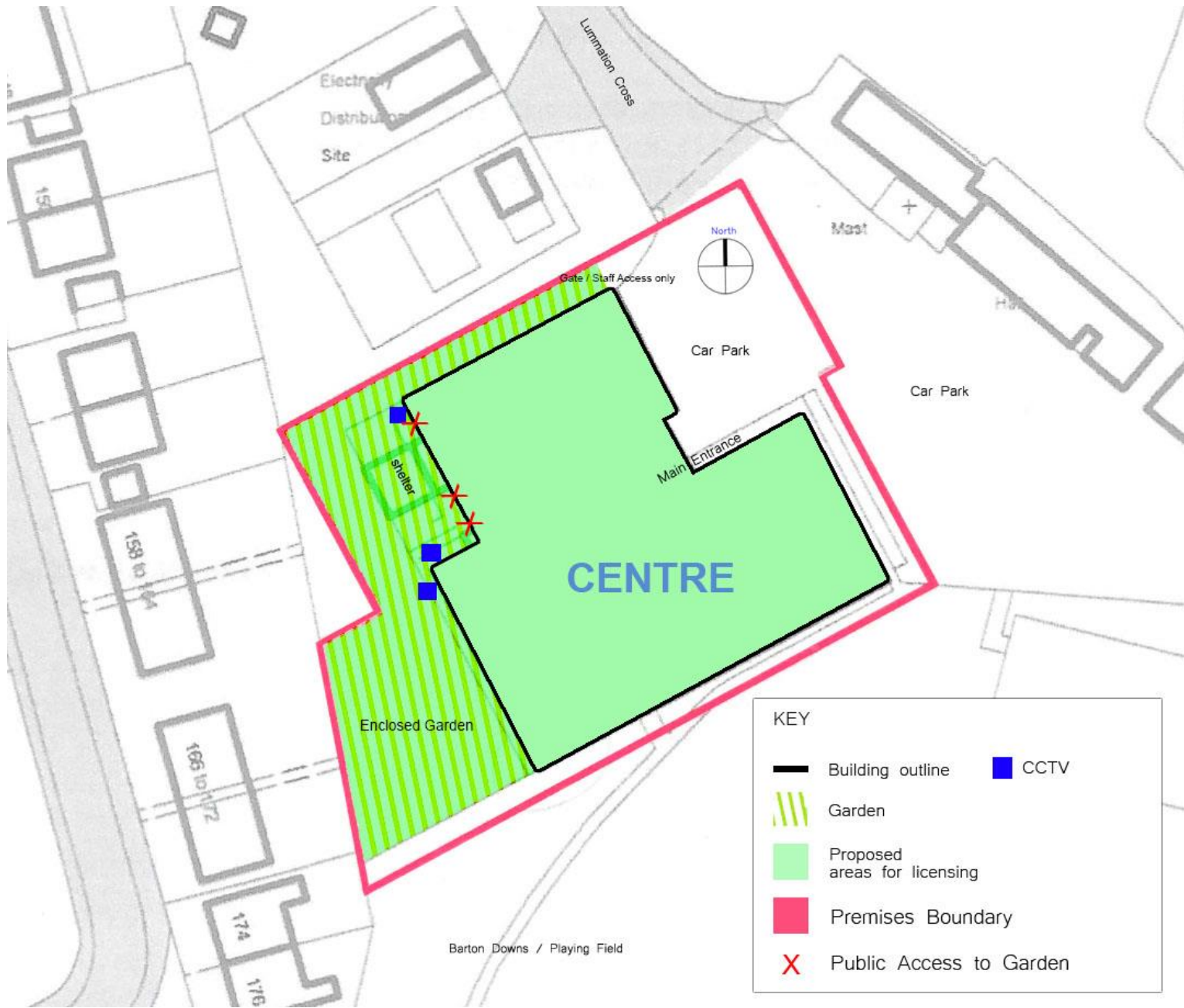
SPORTS HALL



KEY

Fire Fighting Equipment

CCTV



**From:** [Thompson, Becky](#)  
**To:** [Licensing](#)  
**Cc:** [REDACTED]  
**Subject:** RE: Torbay Council premises licence application - Barton Acorn Youth Community & Sports Centre  
**Date:** 28 July 2023 07:33:48  
**Attachments:** [image002.jpg](#)  
[image003.png](#)

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Good morning,

As a responsible body, Children's Services would like to make representation in respect of this application. This representation is being made in relation to the national licensing objective, the protection of children from harm, on the following basis:

- The specifics of the lease relates to use of these premises as a Youth, Community and Sports Centre, with no other type of use endorsed without the express consent of the Council. As a Youth and Community and Sports Centre which will be delivering youth activity specifically between the hours of 5pm and 11pm, there is a concern that the licencing application and use of the premises to sell alcohol could pose a risk to those young people accessing the venue at that time. This is particularly pertinent as it is highly likely that many of those young people accessing this activities will be vulnerable young people.
- The application is for licencing seven days a week, 10am-10pm, with an understanding that the license is to allow the centre to hold functions such as weddings, which are likely to take place over the weekend and evenings, times when a significant schedule of specific youth activity should be taking place. Again, this links to the specific conditions of the lease and the use of the premises as a Youth, Community and Sports Centre.
- The application comments about installing CCTV which has not been context of the primary use of the centre being for young people, and the associated issues of consent and the storage of images captured.
- The Acorn Youth and Community Centre is situated within the Barton with Watcombe ward. This is the second highest ward across Torbay in respect of contacts received within the Multi-Agency Safeguarding Hub. In addition, there are higher number of children subject to child in need or child protection planning within this ward than other areas of Torquay and wider Torbay. This, linked with the known deprivation data in respect of this area, links to concerns in respect of child and young person alcohol use, with children living in Torquay are overrepresented in the Torbay Youth Justice Service (children in Torquay they make up 51% of the Torbay 10-17 population but 70% of the YJS cohort) and children living in this ward are known to be more at risk of child exploitation. As such, this is an area of high vulnerability and increases the concerns in respect of the protection of children from harm, through the selling of alcohol within a youth centre setting.

Many thanks,

[REDACTED]

**Becky Thompson**  
**Divisional Director of Safeguarding**  
**Torbay Children's Services**

[REDACTED]