

Wednesday, 22 January 2025

**STATUTORY LICENSING SUB-COMMITTEE**

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

**Thursday, 30 January 2025**

commencing at **9.30 am**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

**Members of the Committee**

Councillor Douglas-Dunbar

Councillor Foster

Councillor Barbara Lewis

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**A Healthy, Happy and Prosperous Torbay**

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**, 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)

# STATUTORY 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 5 - 8)  
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 17 October 2024.
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. **Application for the Grant of a Premises Licence at Bank, 6-8 Fleet Street, Torquay** (Pages 9 - 32)  
To consider an application for a new Premises Licence in respect of the Bank, 6-8 Fleet Street, Torquay.

**Meeting Attendance**

Please note that whilst the Council is no longer implementing Covid-19 secure arrangements attendees are encouraged to sit with space in between other people. Windows will be kept open to ensure good ventilation and therefore attendees are recommended to wear suitable clothing.

If you have symptoms, including runny nose, sore throat, fever, new continuous cough and loss of taste and smell please do not come to the meeting.

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**Minutes of the Statutory Licensing Sub-Committee**

**17 October 2024**

**-: Present :-**

Councillors Foster, Barbara Lewis and Virdee

**13. Election of Chairman/woman**

Councillor Barbara Lewis was elected as Chairwoman for the meeting.

**14. Minutes**

The Minutes of the meeting of the Sub-Committee held on 8 and 29 August 2024 were confirmed as a correct record and signed by the Chairwoman.

**15. The Mermaid, 2 King Street, Brixham, TQ5 9TF**

Members considered a report on an application for a Variation to a Premises Licence in respect of The Mermaid, 2 King Street, Brixham.

Written Representations received from:

| Name                 | Details   | Date of Representation     |
|----------------------|---|----------------------------|
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance'.                     | 16 September 2024          |
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance'.                     | Received 17 September 2024 |
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance'.                     | 16 September 2024          |
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance' and 'Public Safety'. | 16 September 2024          |

|                      |  |                   |
|----------------------|--|-------------------|
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'. | 17 September 2024 |
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance'.  | 16 September 2024 |
| Member of the Public | Representation objecting to the application for Variation to a Premises Licence on the ground of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'. | 19 September 2024 |

**Additional Information:**

In response to the written representations the Applicant submitted a copy of their representation, dated 17 October 2024 and a copy of the premises Dispersal Policy.

**Oral Representations received from:**

| Name      | Details  |
|-----------|--|
| Applicant | The Applicant outlined their application and responded to Members questions. |

**Decision:**

That the application for a Variation to a Premises Licence in respect of The Mermaid, 2 King Street, Brixham be granted as applied for.

**Reason for Decision**

Having carefully considered all the written and oral Representations, Members unanimously granted the application for a Variation to a Premises Licence having been satisfied by the evidence before them that in doing so, the Licensing Objectives would be upheld.

Members heard from the Applicant that they had received many requests from patrons to extend their opening hours and that this would provide a licensed premises in the area to visit after midnight, where currently there is none. It would also remove the 'hard stop' at midnight currently in place within the locality.

Members were disappointed that the objectors to the application did not attend the hearing to give oral Representations and noted as such, that they were unable to ascertain whether the complaints referred to within were historical in nature. Members had no evidence before them to support the concerns raised and upon

questioning of the Licensing Officer, they had confirmed that no complaints had been received by either the Licensing Team or Environmental Health in relation to the premises since the Applicant took over in May 2023.

Members were impressed by the Applicants considerable understanding and knowledge of the Licensing Objectives and were reassured by the Applicants wealth of experience in operating Licensed Premises, including those in the night-time economy. This was clearly demonstrated in the Applicants comprehensive application, written response to the representations received, oral submission and the answers to Members questions. Furthermore, having been fully aware of the extensive history of the Premises, Members commended the Applicant for the approach he had taken to change the clientele and reputation of the Premises, by taking steps to address patron behaviours that would have otherwise undermined his ability to uphold the Licensing Objectives.

Members were reassured that none of the Responsible Authorities had submitted a Representation, and deduced from this, that they had no concerns with the application. In forming this opinion, Members noted the proactiveness of the Responsible Authorities in submitting Representations, where concerns presented. Member noted that the Applicant had consulted with both the Licensing Team and the Police before submitting the Variation Application showing proactiveness on his part.

Additionally, Members were reassured by the Applicant's willingness to engage with local residents both during the application process stage and at any point in the future, should any issues arise. It was clear that the Applicant's intention was to enhance the area, within which he has other businesses, and wished to have harmonious relationships with local residents.

Members gave careful consideration to whether it was appropriate to add additional conditions to that set out in the operating schedule as regards the use of SIA door stewards and the use of the outside area, given the general concerns raised in the written Representations received. In doing so, Members unanimously determined this to be an unnecessary and disproportionate response, where on the evidence before them, there was already clear and effective management of the premises, with appropriate measures in place.

In conclusion, Members were satisfied that by granting the application for a Variation to a Premises Licence the Licensing Objections would not be undermined and noted that a Review of the Premises Licence can be sought by a Responsible Authority, or any other person, should issues arise as a result of the grant of this application.

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Chairman/woman

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## **TORBAY COUNCIL**

Briefing Report No:

Public Agenda Item: **Yes**

Title: Licensing Act 2003 – Application for the Grant of a Premises Licence at Bank, 6-8 Fleet Street, Torquay

Wards Affected: **Tormohun**

To: **Licensing Sub Committee**

**30 January 2025**

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 “Prevention of Crime and Disorder”, the “Prevention of Public Nuisance” and “Public Safety”.
- 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.

- 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. Torbay Council Cumulative Impact Assessment**

- 2.1 The premises subject of the application is situated within a Torbay Council Cumulative Impact Assessment (CIA) area.

The Torbay Council Cumulative Impact Assessment 2024-27 states:

“Cumulative Impact has been used a term to describe the stress that a large number of licensed premises can have on crime and disorder, nuisance and the demand on local services. The guidance describes cumulative impact as ‘the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area’. It is often not that licensed premises on their own are operating in a way that is detrimental to the licensing objectives, but it is the accumulation of the premises and the people attending them that creates the increased problems and demands on services.”

The Cumulative Impact Assessment creates a rebuttable presumption that applications for a new premises licence or club premises certificate or the variation of an existing licence or certificate in these area will normally be refused where:

- Representations have been received and it is anticipated that the application will add to the problems of crime and disorder or/and public nuisance in these areas.
- The applicant has been unable to demonstrate that, within their operating schedule, there will be no significant negative cumulative impact on one or more of the Licensing Objectives.

It is recognised that pubs, nightclubs, restaurants, hotels, theatres and other clubs all sell alcohol, serve food and provide entertainment, but with contrasting styles and characteristics. Proper regard will be made to those differences and the impact they are likely to have on the local community where the amenity of local residents is being placed under severe pressure.

The Licensing Authority will consider the locality and local trading environment when assessing applications. For example, while a large nightclub or high-capacity public house might add to the problems, a small restaurant or theatre may not.

## **3. Application**

- 3.1 An application has been made under Section 17 of the Licensing Act 2003 (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, as follows:-

The Provision of Late Night Refreshment on Fridays, Saturdays and Bank Holiday Sundays from 23:00 to 00:30 hrs, indoors only.

The Supply of Alcohol for consumption on the premises, on Sundays to Thursdays from 08:00 to 17:00 hrs, and on Fridays, Saturdays and Bank Holiday Sundays from 08:00 to 00:00 hrs.

Premises opening hours Sundays to Thursdays from 08:00 to 17:30 hrs, and on Fridays, Saturdays and Bank Holiday Sundays from 08:00 to 00:30 hrs.

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

“Bank is located in Torquay’s Fleet Street. It will serve non-alcoholic and alcoholic beverages during the day, closing around 1700 hrs, and intends to serve alcohol on a Friday and Saturday evening until midnight.”

The plan accompanying the application is shown in Appendix 2.

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

We have received one Representation from an Interested Party, in relation to the Licensing Objectives, the “Prevention of Crime & Disorder”, the “Prevention of Public Nuisance” and “Public Safety”. This is shown in Appendix 3.

There have been no other Representations received from any other Interested Party or any Responsible Authority, other than that mentioned above.

- 3.3 The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary.
- 3.4 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.
- 3.5 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.
- 3.6 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.

3.7 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**

### **Appendices**

Appendix 1 Relevant parts of the Application Form

Appendix 2 Plan of the Premises

Appendix 3 Representations from one Interested Party

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

None

### **Background Papers:**

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

Torbay Council Licensing Policy 2021-26

*Continued from previous page...*

### Contact Details

|                        |                                       |
|------------------------|---------------------------------------|
| E-mail                 | <input type="text" value="REDACTED"/> |
| Telephone number       | <input type="text" value="REDACTED"/> |
| Fax number             | <input type="text"/>                  |
| Other telephone number | <input type="text"/>                  |

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.

### Your Business

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

Is your business registered outside the UK?  Yes  No

|                               |  |
|-------------------------------|--|
| Commercial register           | <input type="text" value="Companies House"/>         |
| Registration number           | <input type="text" value="16029257"/>                |
| Business name                 | <input type="text" value="CASA FUTURES LTD"/>        |
| VAT number                    | <input type="text" value="-"/> <input type="text"/>  |
| Legal status                  | <input type="text" value="Private Limited Company"/> |
| Your position in the business | <input type="text" value="DIRECTOR"/>                |
| Home country                  | <input type="text" value="United Kingdom"/>          |

The entity with which your business is registered, for example "Amsterdam Chamber of Commerce".

If your business is registered, use its registered name.

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

The country where the headquarters of your business is located.

*Continued from previous page...*

**Address**

|                               |                         |
|-------------------------------|-------------------------|
| Building number or name       | APARTMENT 11, BELVEDERE |
| Street                        | MARINE DRIVE            |
| District                      | PRESTON                 |
| City or town                  | PAIGNTON                |
| County or administrative area | DEVON                   |
| Postcode                      | TQ3 2NS                 |
| Country                       | United Kingdom          |

**Address**

|                               |                |
|-------------------------------|----------------|
| Building number or name       |                |
| Street                        |                |
| District                      |                |
| City or town                  |                |
| County or administrative area |                |
| Postcode                      |                |
| Country                       | United Kingdom |

**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

*Continued from previous page...*

**Address**

|                               |                  |
|-------------------------------|------------------|
| Building number or name       | BANK CHAMBERS    |
| Street                        | 6-8 FLEET STREET |
| District                      |                  |
| City or town                  | TORQUAY          |
| County or administrative area | DEVON            |
| Postcode                      | TQ1 1DB          |
| Country                       | United Kingdom   |

**Contact Details**

|   |       |
|---|-------|
| E-mail                                      |       |
| Telephone number                            |       |
| Fax number                                  |       |
| Other telephone number                      |       |
| Non-domestic rateable value of premises (£) | 8,850 |

## 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

### Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

## Section 4 of 21

### INDIVIDUAL APPLICANT DETAILS

#### Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No



Continued from previous page...

**Address**

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

E-mail

Telephone number

Other telephone number

Date of birth  /  /   
dd mm yyyy

Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK  
Right to work share code if not submitting scanned documents

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

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

Continued from previous page...

**Address**

|                               |                |
|-------------------------------|----------------|
| Building number or name       | APARTMENT 11   |
| Street                        | BELVEDERE      |
| District                      | MARINE DRIVE   |
| City or town                  | PAIGNTON       |
| County or administrative area | DEVON          |
| Postcode                      | TQ3 2NS        |
| Country                       | United Kingdom |

**Contact Details**

|                        |  |
|------------------------|--|
| E-mail                 | [REDACTED]   |
| Telephone number       | [REDACTED]   |
| Fax number             |  |
| Other telephone number |  |
| Date of birth          | <input type="text"/> / <input type="text"/> / <input type="text"/><br>dd mm yyyy |

|  |         |  |
|--|---------|--|
| Nationality  | BRITISH | Documents that demonstrate entitlement to work in the UK |
| <input type="button" value="Remove this applicant"/> |         |  |

**Section 5 of 21**

**OPERATING SCHEDULE**

|   |  |
|---|--|
| When do you want the premises licence to start? | <input type="text"/> / <input type="text"/> / <input type="text"/> |
|   | dd mm yyyy   |

|   |  |
|---|--|
| If you wish the licence to be valid only for a limited period, when do you want it to end | <input type="text"/> / <input type="text"/> / <input type="text"/> |
|   | 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.

BANK IS LOCATED IN TORQUAYS FLEET STREET. IT WILL SERVE NON-ALCOHOLIC AND ALCOHOLIC BEVERAGES DURING THE DAY , CLOSING AROUND 1700 HRS, AND INTENDS TO SERVE ALCOHOL ON A FRIDAY AND SATURDAY EVENING UNTIL MIDNIGHT

Continued from previous page...

Non-standard timings. Where the premises will be used for entertainment 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 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- 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

*Continued from previous page...*

Will the provision of late night refreshment 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.

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 late night refreshments 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.

On Bank Holiday Sundays 2300 - 0030 hrs

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

Start

End

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

Start

End

End

Continued from previous page...

WEDNESDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="17:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

THURSDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="17:00"/> |
| Start | <input type="text"/>               | End | <input type="text"/>               |

FRIDAY

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

SATURDAY

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

SUNDAY

|       |                                    |     |                                    |
|-------|------------------------------------|-----|------------------------------------|
| Start | <input type="text" value="08:00"/> | End | <input type="text" value="17:00"/> |
| 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.

On Bank Holiday Sundays sale of alcohol from 0800 to 0000 hrs

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

*Continued from previous page...*

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**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.

NONE

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.

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.

On Bank Holiday Sundays from 0800 to 0030 hrs

*Continued from previous page...*

## 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.

b) The prevention of crime and disorder

#### TRAINING

All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.

The hours and activities permitted by the premises licence and conditions attached to the licence.

How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).

Recognising the signs of drunkenness.

The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or

appears to be making a proxy purchase.

Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than (insert) intervals.

Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

#### RECORDING INCIDENTS

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

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

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

All ejections of patrons

Any complaints received

Seizures of drugs or offensive weapons

Any faults in the CCTV system

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.

Open containers of alcohol shall not be removed from the premises, except for consumption in any delineated external area as shown on the plan attached to the licence.

Customers will not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers.

A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspection and



**Continued from previous page...**

copying upon request by an authorised officer of a responsible authority.

Appropriate security arrangements will be in place including toilet areas and other similar areas being regularly checked for evidence of drugs. The date and times of all checks will be recorded in a register kept for that purpose and be available for inspection and copying on request of an authorised officer of a responsible authority. Signage shall also be prominently displayed in the toilet areas advising patrons that checks are conducted regularly.

c) Public safety

d) The prevention of public nuisance

A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.

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.

When issues are identified approaches will be made to patrons, who will be asked not to stand around talking in the street outside the premises and asked to leave the vicinity as quickly and quietly as possible.

The handling of kegs, bottles cleaning equipment, bottle disposal and similar items shall not take place before 1000 hours or after 2200 hours

e) The protection of children from harm

The premises shall operate a Challenge 25 Policy and any individual who appears to be under the age of 25 will be required to produce an approved form of photographic identification i.e.

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.

The premises shall display prominent signage indicating at the entrance to the premises/that a Challenge 25 scheme is in operation.

Refusals Register

An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

the date and time of refusal

the reason for refusal

details of the person refusing the sale

description of the customer

any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority.

All entries must be made within 24 hours of the refusal.

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**Address**

|                               |   |
|-------------------------------|---|
| Building number or name       | <input type="text"/>                        |
| Street                        | <input type="text"/>                        |
| District                      | <input type="text"/>                        |
| City or town                  | <input type="text"/>                        |
| County or administrative area | <input type="text"/>                        |
| Postcode                      | <input type="text"/>                        |
| Country                       | <input type="text" value="United Kingdom"/> |

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

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

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)

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

\* 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

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

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

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

[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).

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

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?"

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Full name

Capacity

Date  /  /   
dd mm yyyy

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

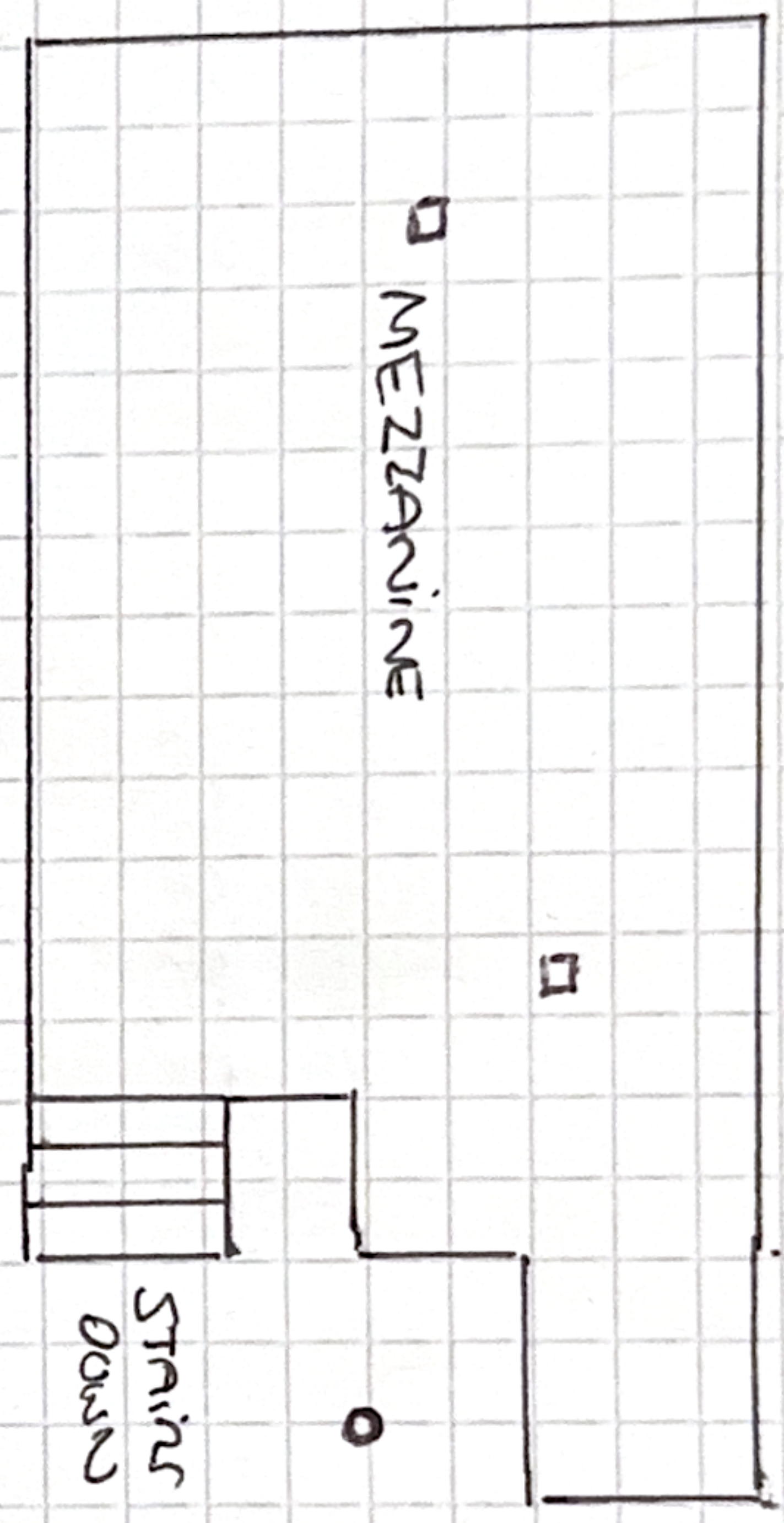
1. Save this form to your computer by clicking file/save as...
  2. Go back to to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**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**

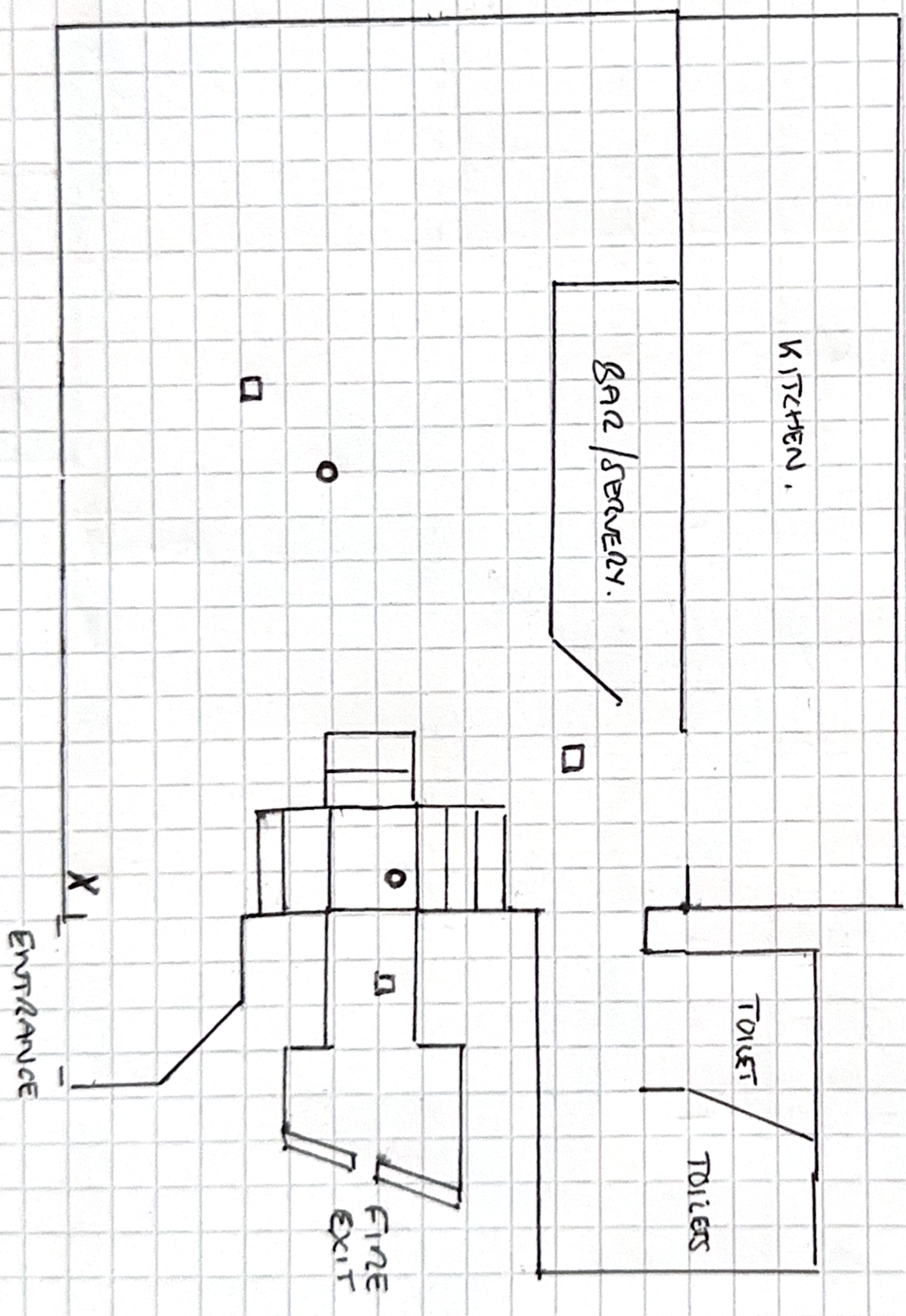
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1ST FLOOR



- Smoke Detectors
- Emergency Lighting
- X Fire Extinguishers

GROUND FLOOR



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**Licensing representation**

|                               |                                    |
|-------------------------------|------------------------------------|
| Date and Time Submitted       | 24 December 2024 07:48:40          |
| Name of the premises:         | Banks application                  |
| Support/Object to application | Object                             |
| Address of the premises:      | 6-8 Fleet Street, Torquay, TQ1 1DB |

**Applicant Details**

|                                    |   |
|------------------------------------|---|
| In what capacity are you applying? | Any other person  |
| First name:                        | [REDACTED]  |
| Last name:                         | [REDACTED]  |
| Contact number:                    | 0 [REDACTED]  |
| Email address:                     | [REDACTED]  |
| Address:                           | [REDACTED] THE TERRACE TORQUAY TQ1 1BN [REDACTED]<br>[REDACTED] |

**Representation**

Which of the following Licensing Objectives is this representation relevant to?

|  |  |
|--|--|
| <b>This representation is relevant to the following Licensing Objectives</b> | The prevention of crime and disorder<br>The prevention of public nuisance  |
| <b>The reason for your representation:</b>                                   | I wish to object to the granting of this license on the grounds that it will cause a significant public nuisance and disturbance to the nearby residential properties, banks is located beneath and next door to a block of flats, all of properties adjoining this on The Terrace are residential. The proposed activities are likely to generate excessive noise and potential anti-social behaviour, particularly during late hours, disrupting the peace, quiet and lives of those that live in the vicinity. Such disturbances will severely impact the well-being, health, and quality of life of residents. Additionally, the increased footfall and potential antisocial behaviour may exacerbate public safety and cleanliness concerns. I urge the licensing authority to carefully consider the adverse effects this license may have on the neighbourhood and reject the application in the interest of preserving public order and residential harmony. |

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