



Wednesday, 14 September 2011

LICENSING SUB-COMMITTEE

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

Thursday, 22 September 2011

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 Addis
Councillor Bent

Councillor Cowell

Our vision is for a cleaner, safer, prosperous Bay

For information relating to this meeting or to request a copy in another format or language please contact:

Lisa Warrillow, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207064

Email: democratic.services@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 Committee.
3. **Minutes** (Pages 1 - 4)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 1 September 2011.
4. **Declarations of interests**
 - (a) To receive declarations of personal interests in respect of items on this agenda
For reference: Having declared their personal interest members and officers may remain in the meeting and speak (and, in the case of Members, vote on the matter in question). If the Member's interest only arises because they have been appointed to an outside body by the Council (or if the interest is as a member of another public body) then the interest need only be declared if the Member wishes to speak and/or vote on the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of personal prejudicial interests in respect of items on this agenda
For reference: A Member with a personal interest also has a prejudicial interest in that matter if a member of the public (with knowledge of the relevant facts) would reasonably regard the interest as so significant that it is likely to influence their judgement of the public interest. Where a Member has a personal prejudicial 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 Democratic Services or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **Parkfield, 38 Esplanade Road, Paignton** (Pages 5 - 46)
To consider a report on an application for a Premises Licence in respect of Parkfield, 38 Esplanade Road, Paignton.



Minutes of the Licensing Sub-Committee

1 September 2011

-: Present :-

Councillors Addis, Parrott and James

224. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

225. Minutes

The Minutes of the meeting of the Sub-Committee held on 21 July 2011 and 28 July 2011 were confirmed as a correct record and signed by the Chairman.

226. Kingsway Minimart, 83 Kingsway Avenue, Paignton

Members considered a report on an application for a Premises Licence in respect of Kingsway Minimart, 83 Kingsway Avenue, Paignton.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation objecting to the application on the grounds of 'The Prevention of Crime and Disorder', Public Safety', 'The Prevention of Public Nuisance and 'The Protection of Children from Harm', as set out in appendix 3 to the report.	29 July 2011

Additional Information:

The Senior Licensing Officer circulated two photographs, one showing the parade of shops which included the Kingsway Minimart and a second photograph which provided an aerial view of Kingsway Avenue.

With the agreement of the Licensing Sub-Committee the Applicant's Representative circulated a training document titled 'Section 3: Training Licensing Rules and Procedure Pamphlet' and the full training manual.

Oral Representations received from:

Name	Details
Applicant's Representative	The Applicant's Representative outlined the application and responded to Members questions.
Member of the Public	A Member of the Public set out his objection to the application and responded to Members questions.

Decision:

That the application for a Premises Licence in respect of Kingsway Minimart, 83 Kingsway Avenue, Paignton be granted as applied for subject to the amended conditions proposed by the Applicant in reference to the CCTV system that shall now read:

'The CCTV system of an evidential standard shall be in operation at all times the premises are open to the public. All recordings from that system shall be kept for a period of 31 days and the Police shall have access to recordings at any reasonable time.'

In addition to the condition offering documents to Responsible Authorities for inspection, the condition will include that of the refusal book and shall read:

'Appropriate staff training to be satisfactorily completed and recorded. Training records and refusal book shall be made available for inspection upon reasonable request by a relevant officer of a Responsible Authority.'

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved to grant the application with the amended conditions. Careful consideration was given to the Representation made by the Interested Party, however Members were not satisfied that these concerns could be substantiated in respect of this application.

Members further noted the absence of any Representations from the Police or Trading Standards which alleviated the concerns of Members on the issues raised by the Interested Party.

In addition Members were reassured the proposed procedure for training and documentation of that training, should seek to address any concerns in respect of underage sales.

In conclusion Members are satisfied that this application will seek to promote the Licensing Objectives. Should issues arise as a result of this grant then Members would encourage a Review of this Licence.

Chairman

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Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Premises Licence
Parkfield, 38 Esplanade Road, Paignton**

Wards Affected: **Preston**

To: **Licensing Sub Committee** **22 September 2011**

Contact Officer: **Mandy Guy**
Telephone: **01803 208124**
E.mail: **Licensing@torbay.gov.uk**

1. Key points and Summary

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a new Premises Licence.
- 1.2 The application relates to all the Corporate Priorities within the Community Plan.
- 1.3 As the Licensing Authority has no powers under the Act to raise a Representation, Officers are unable to make any recommendation.
- 1.4 The matters raised relate to the Licensing Objective “The Prevention of Public Nuisance”.
- 1.5 The matter must be considered on its merits having received details of the issues arising either at a hearing or by written Representation if all parties have agreed that a hearing is not necessary. 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.

- 1.6 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant, Responsible Authority and Interested Party following the determination of the matter.

2. Introduction

- 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, as follows:

To permit Plays; Films; Boxing or Wrestling; Live Music; Recorded Music; Performance of Dance; Anything of a Similar Description to Live Music, Recorded Music, Performance of Dance; Provision of Facilities for Making Music and Dancing; Provision of Facilities of Anything Similar to Making Music and Dancing; (all Indoors & Outdoors) and Indoor Sporting Events. The application seeks to permit these activities from 09:00 until 22:00 Monday to Sunday.

To be open to the public from 09:00 until 22:00 Monday to Sunday.

A copy of the plans of the Premises are shown as Appendix 2-7.

- 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 a relevant Representation has been received from a Responsible Authority and a relevant Representation from an Interested Party. The Licensing Authority is also satisfied that the Representations have been received within the appropriate time scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received one Representation from the Public Protection in relation to the Licensing Objective "The Prevention of Public Nuisance". This is shown as Appendix 8.

We have received one Representation from an Interested Party in relation to the Licensing Objective "The Prevention of Public Nuisance". This is shown in Appendix 9.

There have been no additional Representations received from any other Responsible Authority or any other Interested Party.

- 2.3 The Authority is required to conduct a hearing by 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 Representations 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.

Frances Hughes
Executive Head Community Safety

Appendices

Appendix 1 Details of the application.

Appendix 2 Plan of Premises.

Appendix 3 Plan of Premises.

Appendix 4 Plan of Premises.

Appendix 5 Plan of Premises.

Appendix 6 Plan of Premises.

Appendix 7 Plan of Premises.

Appendix 8 Details of the Representation from Public Protection.

Appendix 9 Details of the Representation from the Interested Party.

If the above appendices are not attached to this report, they can be viewed at ConnectionsOffices in Torquay, Paignton or Brixham and Torquay, Paignton, Churston or Brixham Libraries. Copies can also be obtained from the Democratic Services Office, Town Hall, Torquay.

Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2011.

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**Application for a Premises Licence to be granted
under the Licensing Act 2003**

FORM B

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We TORBAY COUNCIL
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description <u>PARK FIELD</u> <u>38 THE ESPLANADE</u> <u>PAIGNTON</u> <u>DEVON</u>			
Post town	<u>PAIGNTON</u>	Post code	<u>TQ3 2NH</u>

Telephone number at premises (if any)	<u>NONE AT PRESENT</u>
Non-domestic rateable value of premises	<u>£ N/A.</u>

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name	TORBAY COUNCIL
Address	PARKFIELD 38 THE ESPLANADE PAIGNTON DEVON TQ3 2NH
Registered number (where applicable)	
Description of applicant (for example, partnership, company, unincorporated association etc.)	LOCAL AUTHORITY
Telephone number (if any)	—
E-mail address (optional)	maggie.naylor@torbay.gov.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
05	09	2011

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note 1)
 A 9 acre site, containing Parkfield House, a new build, and outbuildings.
 The House will offer training facilities, office accommodation, and residential back packer dormitory type accommodation.
 The new build will contain a performing arts & sports area, climbing wall, recording studios, performance control room, DJ Booths, IT suite, changing rooms etc.
 External an external climbing wall, skateboard park, international BMX track, woodland walkways with pond & stream.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- l) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2200	Please give further details here (please read guidance note 3) Workshops will be carried out during the day which encompass drama workshops for young people aged 11-19 on alternative education programmes. Performances will be staged during early evening, and school holidays.	Both	<input checked="" type="checkbox"/>
Tue	0900	2200			
Wed	0900	2200		State any seasonal variations for performing plays (please read guidance note 4)	
Thur	0900	2200			
Fri	0900	2200		Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	0900	2200			
Sun	0900	2200			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	0900	2200	Please give further details here (please read guidance note 3) - <i>films will be shown for educational purposes during the day for school groups, films will be shown during early evenings, weekends and school holidays</i>		
Tue	0900	2200			
Wed	0900	2200	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	0900	2200			
Fri	0900	2200	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2200			
Sun	0900	2200			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3). The multi function space is used for traditional sports such as football, netball, volleyball, badminton 5-a-side football. It will be used by young people aged 11-19, community groups and school groups.
Day	Start	Finish	
Mon	0900	2200	State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue	0900	2200	
Wed	0900	2200	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Thur	0900	2200	
Fri	0900	2200	
Sat	0900	2200	
Sun	0900	2200	

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2200	Please give further details here (please read guidance note 3) <i>Workshops, community martial art groups, displays and gradings in all genera of boxing, wrestling, and mixed martial arts.</i>	Both	<input checked="" type="checkbox"/>
Tue	0900	2200			
Wed	0900	2200	State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur	0900	2200			
Fri	0900	2200	Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2200			
Sun	0900	2200			

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	L
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2200	Please give further details here (please read guidance note 3) <i>live music, recording music, electronic IT music, recording, live performances; festivals of music.</i>	Both	<input checked="" type="checkbox"/>
Tue	0900	2200			
Wed	0900	2200	State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	0900	2200			
Fri	0900	2200	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2200			
Sun	0900	2200			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2200	<p>Please give further details here (please read guidance note 3)</p> <p>When plays are staged, music will be piped into the area to accompany the performance. Piped music will be played within the centre. MTV in the cafe area. Outdoor events will sometimes have recorded music played.</p> <p>State any seasonal variations for the playing of recorded music (please read guidance note 4)</p> <p>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)</p>	Both	<input checked="" type="checkbox"/>
Tue	0900	2200			
Wed	0900	2200			
Thur	0900	2200			
Fri	0900	2200			
Sat	0900	2200			
Sun	0900	2200			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	2200	Please give further details here (please read guidance note 3). Workshops will be carried out during the day which encompass dance for young people on alternative education programmes. Performances of dance will be staged during early evening, weekends and school holidays	Both	<input checked="" type="checkbox"/>
Tue	0900	2200			
Wed	0900	2200	State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur	0900	2200			
Fri	0900	2200	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	0900	2200			
Sun	0900	2200			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing <i>U/S: discos sched celebrations or awards evening</i></p>		
Day	Start	Finish	<p>Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon	0900	2200		Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Tue	0900	2200	<p>Please give further details here (please read guidance note 3)</p>		
Wed	0900	2200			
Thur	0900	2200			
Fri	0900	2200	<p>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</p>		
Sat	0900	2200			
Sun	0900	2200			
<p>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</p>					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing	
			multi use area with stage artists room / recording studios recording studio DJing suites IT suite outdoor music festivals for UK's	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)	
Mon	0900	2200		
Tue	0900	2200		
Wed	0900	2200	State any seasonal variations for the provision of facilities for making music (please read guidance note 4)	
Thur	0900	2200		
Fri	0900	2200	Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read guidance note 5)	
Sat	0900	2200		
Sun	0900	2200		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing Multi use area with stage Outdoor festivals with pagoda/type tents with dance workshops. gazebo			
Mon	0900	2200	Please give further details here (please read guidance note 3)			
Tue	0900	2200				
Wed	0900	2200	State any seasonal variations for providing dancing facilities (please read guidance note 4)			
Thur	0900	2200				
Fri	0900	2200	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	0900	2200				
Sun	0900	2200				

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u> <i>Anything similar to I&J.</i>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon	0900	2200		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	0900	2200	<u>Please give further details here</u> (please read guidance note 3) <i>Anything similar to I&J.</i>	
Wed	0900	2200		
Thur	0900	2200	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)	
Fri	0900	2200		
Sat	0900	2200	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun	0900	2200		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

N/A.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0900	2200	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	0900	2200	
Wed	0900	2200	
Thur	0900	2200	
Fri	0900	2200	
Sat	0900	2200	
Sun	0900	2200	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

We will adhere to Torbay Council's objectives, policies and procedures for b, c, d and e as a local authority provider.

b) The prevention of crime and disorder

Parkfield will have site supervision @ all times. During busy times staff will be required to patrol the site. During out of hours Torbay Council Security team and the police will patrol the site. CCTV cameras will be placed @ the front & back of both buildings and monitored by Torbay Council Security Team. Groups of young people who are known to the local authority for anti-social behaviour will be on site but will have extensive staff supervision and heavily involved in planned activities.

c) Public safety

Normal and Emergency operating procedures will be put in place. An events plan will be put in place for Individual Events, including risk assessments. Torbay Council's Emergency Planning Office will be involved in all major events. Patrols and inspections of site and equipment will be done regularly throughout the day, recorded and monitored.

d) The prevention of public nuisance

Staff will be trained in dealing with all public nuisance incidents. The accommodation unit will have someone based on site throughout the night. Policies and procedures will be put in place with persistent offenders being removed from the premises and a period of non-entry to the site would be put in place. Additional path lights will be switched off once the facility is shut in the evening. Bins will be placed in a secure area and will be emptied regularly. Noise levels (as requested by a planning condition) will be kept to a minimum through the landscape design and site patrols. (acoustic barriers)

e) The protection of children from harm

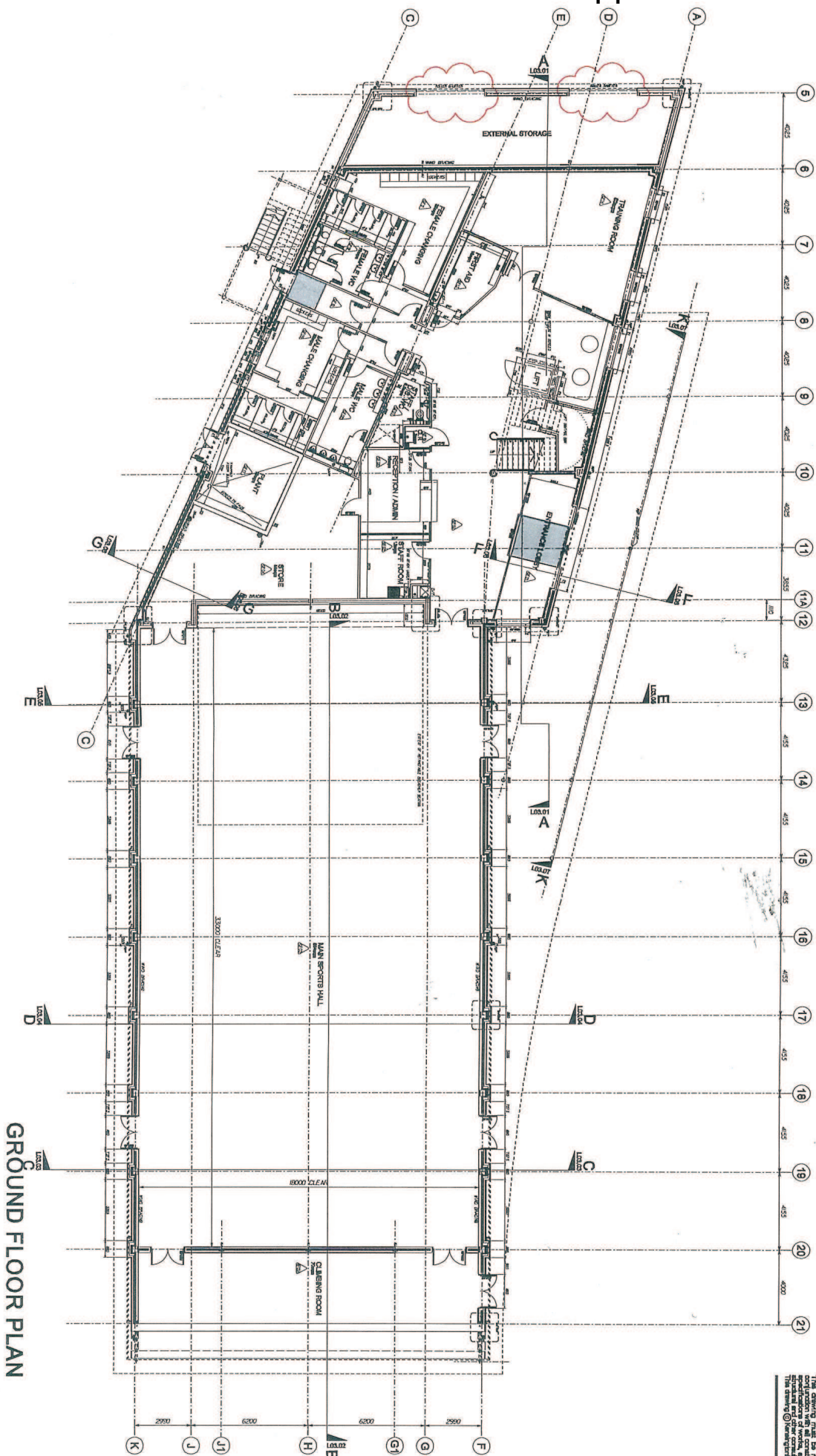
Parkfield will have site supervision @ all times. All staff will have enhanced CRB checks. All staff will be trained in issues relating to the 'safeguarding of children' and child protection. Training will be on going and will include all aspects of young people's safety including Drug and Alcohol issues, bullying, self-esteem/self confidence etc. All staff patrolling the site will be 1st Aid trained. 1st Aid boxes will be placed in the new and old buildings.

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GROUND FLOOR PLAN

Construction is shown in accordance with the Building Regulations. Any deviation from the Building Regulations shall be the responsibility of the client. The client shall be responsible for obtaining all necessary planning and building control approvals. The client shall be responsible for obtaining all necessary planning and building control approvals. The client shall be responsible for obtaining all necessary planning and building control approvals.

WYPLAGE - PARKFIELD HOUSE, PAINTON

GROUND FLOOR PLAN

Kensington Taylor

Architect

11100 0 A1 NOV 2020 JKN R.C

NO. 1 02 04

NO.	DATE	DESCRIPTION
1	11/11/20	ISSUE FOR PERMITTING AND BUILDING REGULATIONS
2	11/11/20	ISSUE FOR PERMITTING AND BUILDING REGULATIONS
3	11/11/20	ISSUE FOR PERMITTING AND BUILDING REGULATIONS
4	11/11/20	ISSUE FOR PERMITTING AND BUILDING REGULATIONS
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19	11/11/20	ISSUE FOR PERMITTING AND BUILDING REGULATIONS
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21	11/11/20	ISSUE FOR PERMITTING AND BUILDING REGULATIONS

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Memorandum

To: Licensing c.c c.c. c.c For the attention of: Licensing Steve Cox	From : Community Safety Contact : Mr Gareth Fudge Ext : 01803 208010 My Ref : 1ZV SRU No: 165140/GDF Your Ref : Date : 30 August 2011
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Subject: Premises– Licensing Act 2003
Premises Name & Address: Parkfield House, , 38 Esplanade Road, Paignton, Devon, TQ3 2NH

- a) I have no comments to make on the above application

- b) The application does not meet the following licensing objectives:
 - i) Prevention of crime and disorder
 - ii) Protection of children from harm
 - iii) Public safety
 - iv) Prevention of public nuisance

I am concerned that the proposals for holding performances of live and amplified music outdoors would lead to public nuisance to local residents in the vicinity. I would therefore, recommend that the following conditions be attached to the licence.

Noise or vibration will not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 11pm. This will be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that will be applied are;

- i. Before 11pm – Noise emanating from the premises will not be clearly distinguishable above other noise.
- ii. After 11pm – Noise emanating from the premises will not be distinguishable above background levels of noise.
- iii. The local authority will reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties), to make further assessments from within the residential property.

The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the Licensee/Management and the controlling mechanism shall be operated from a part of the Premises not accessible to the public.

Patrons will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity quickly and quietly.

Mr Gareth Fudge
Senior Environmental Health Officer

Executive Head of Community Safety
Torbay Council
Roebuck House
Abbey Road, Torquay TQ2 5EJ

23-August 2011

Ref. APPLICATION FOR LICENCES TO HOLD LEISURE ACTIVITIES at MY PLACE YOUTH CENTRE, PARKFIELD, Esplanade Rd, Paignton. TQ3 2NH

I should like to draw to your attention to some of my concerns regarding the licence for the NOISIER activities proposed to take place here.

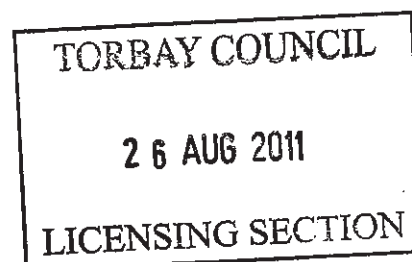
As this new Youth Centre has been sited in a residential area - up to this time a quiet and peaceful area - I would ask that this should be taken into account and give the licence subject to the condition that the NOISE generated by any of the activities be kept to a level acceptable to the residents in the neighbourhood.

Also I feel that the surrounding streets should be monitored for any disruption by the youngsters arriving and leaving the site.

Presumably the buildings have the most up-to-date sound proofing in place, so with the doors and windows shut to keep the noise inside the building, the surrounding area will not be affected by the "recorded and Live Music" you are being asked to license, BUT should the NOISE LEVELS rise above normal levels expected in a residential area, WILL THE LICENCE FOR ANY OFFENDING ACTIVITY BE WITHDRAWN? This activity then deemed ANTI-SOCIAL?

The residents in this area were assured that no OUTDOOR ACTIVITIES would take place before the "state-of -the-art" "high-tech" 1.8metre ACOUSTIC BARRIERS were in place around the BMX track and skateboard area. Will this be one of the CONDITIONS to granting a licence for outdoor activities?

Thank you for reading this letter, I can only hope that the licences granted to this site will not ruin the lives of the people at present living peacefully in the neighbourhood.



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