



Wednesday, 14 August 2013

LICENSING SUB-COMMITTEE

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

Thursday, 22 August 2013

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 Ellery

Councillor Doggett

Working for a healthy, prosperous and happy Bay

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

Kay Heywood, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207026

Email: governance.support@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. **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.)

4. **Urgent items**

To consider any other items that the Chairman decides are urgent.

5. **Licensing Act 2003 – An application for a Premises Licence – Bargain Booze, 105 Foxhole Road, Paignton TQ3 3SU**

(Pages 1 - 20)

To consider an application for a Premises Licence in respect of Bargain Booze, 105 Foxhole Road, Paignton.



Public Agenda Item: **Yes**

Title: **Licensing Act 2003 – An application for a Premises Licence – Bargain Booze, 105 Foxhole Road, Paignton TQ3 3SU**

Wards Affected: **Blatchcombe**

To: **Licensing Sub Committee** **22 August 2013**

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 The matters raised relate to the Licensing Objectives “The Prevention of Crime and Disorder”, “The Prevention of Public Nuisance” “Public Safety” and “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 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.

1.5 Reasons for the decision must be given for inclusion in the appropriate Notices required to be served on the Applicant and Interested Parties 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:

The sale of Alcohol off the Premises from 0900 until 2200 seven days a week.

To be open to the public from 09.00 until 2200 seven days a week.

A copy of the plan of the Premises is shown as 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 from four Interested Parties. 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 four Representations from Interested Parties in relation to the Licensing Objectives "The Prevention of Crime and Disorder", "The Prevention of Public Nuisance" "Public Safety" and "The Protection of Children from Harm". These are shown as Appendix 3.

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

- 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 Four Representations from Interested Parties.

Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2011.

Agenda Item 5

Appendix 1

\$100 Paid
SELMS 0000411
2/7/13.



Torbay
Application for a premises licence
Licensing Act 2003

For help contact
connections@torbay.gov.uk
Telephone: 01803 208025

* required information

Section 1 of 19

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 the applicant would prefer not to be contacted by telephone

Is the applicant:

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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Is the applicant's business registered outside the UK? Yes No

* Business name If the applicant's business is registered, use its registered name.

* VAT number Put "none" if the applicant is not registered for VAT.

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

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 (£)

Continued from previous page...

Yes

No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes

No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes

No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes

No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes

No

Section 13 of 19

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

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

Yes

No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Section 15 of 19

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="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	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...

Section 17 of 19

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.

Continued from previous page...

Section 18 of 19

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.

In line with the government guidance we will manage the premises in line with all four of the licensing objectives and all relevant legislation.

b) The prevention of crime and disorder

1) The premises has comprehensive CCTV coverage, the system records & the data is kept for a minimum of 28 days. Downloads will be made available to the RA's upon request.

2) Whenever the DPS is not at the premises another person shall be nominated by them to be the responsible person to manage the premises.

3) All spirits must be kept behind the counter area and to be sold by counter service only.

c) Public safety

1) The licence holder is aware of their responsibilities under the Regulatory Reform (Fire Safety Order) Act 2005.

d) The prevention of public nuisance

1) There must be a lockable bin to the rear of the premises to store all cardboard waste from the business

e) The protection of children from harm

1) Any person who looks or appears to be under the age of 25 shall be asked to provide ID to prove that they are over the age of 18.

2) Only the UK photo driving licence, passport or government approved PASS cards will be accepted as proof of age.

Section 19 of 19

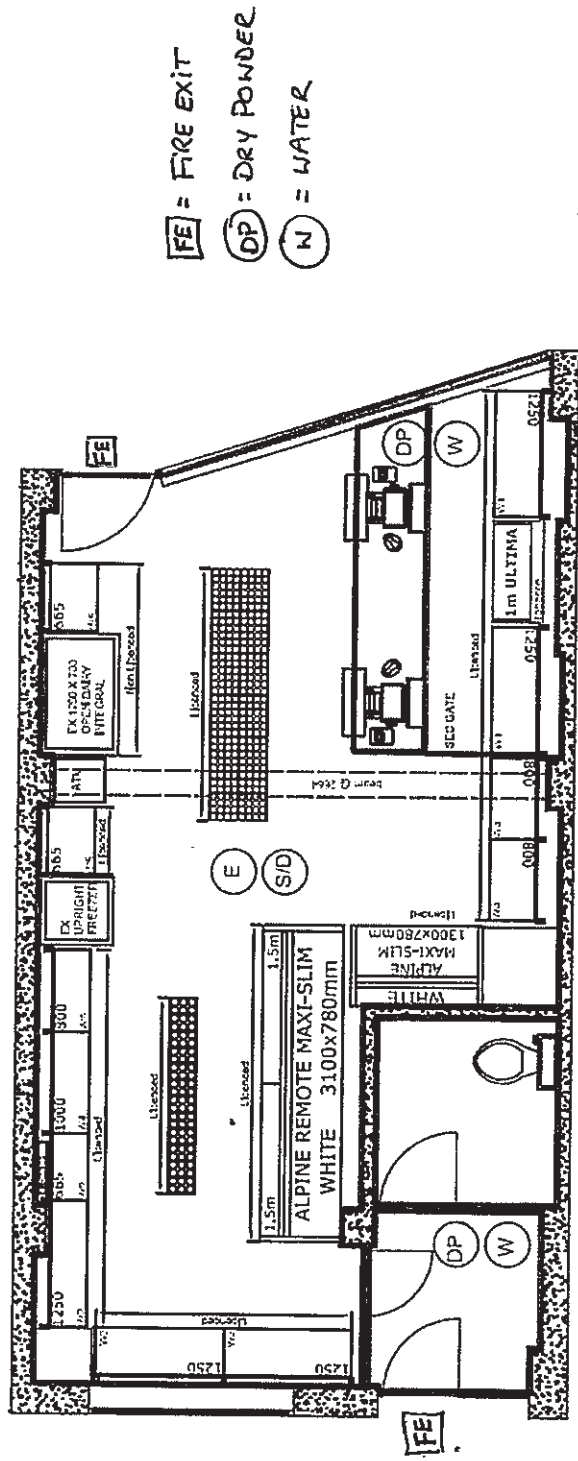
PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

Agenda Item 5 Appendix 2

Bargain Booze
105 Foxhole Road
Paignton
TQ3 3SU



Note: Any item that is not covered by the Licensing Act 2003 regulations

is subject to change at any time.

Dr. Sarah Wollaston M.P.
Member of Parliament for Totnes



House of Commons
London
SW1A 0AA

Steve Cox
Principal Safety and Licensing Officer
Torbay Council
Roebuck House
Abbey Road
TQ2 5EJ
Torbay Council

SW/ns
30th July 2013

Letter by email: steve.cox@torbay.gcsx.gov.uk
Page 1 of 1

Dear Steve,

I have been contacted by some constituents regarding the proposal to grant a licence to Bargain Booze at Foxhole Road, Paignton.

I must say that I do share their concerns that not only is it unnecessary to have another licensed premises where there are already at least 5 within a 1 mile radius, but my biggest concern is the close proximity to the newly refurbished play area. Bargain Booze actively advertise that they sell "hundreds of discounted lines across alcohol categories" and to have this type of premises opposite a play area that is well used by local children normalises alcohol as if it were part of everyday behaviour. This is unacceptable and potentially damaging to children. I would like to emphasise the danger to children from exposure to alcohol related anti social behaviour as it is a well known fact that children may ask adults to purchase alcohol for their consumption.

I believe that when Bargain Booze was previously trading there were many occasions of anti social behaviour and youths used to congregate outside the premises and their behaviour was often intimidating towards local residents, since Bargain Booze closed these incidents have ceased.

Please can you confirm that my objections have been registered by replying to my Constituency Office at Station Road, Totnes, TQ9 5HW.

Kind regards,

Dr Sarah Wollaston MP

Email: sarah.wollaston.mp@parliament.uk
Website: www.drSarah.org.uk
Twitter: @drwollastonmp

Parliamentary Office:
Tel : 0207 219 4064
Fax: 0207 219 5019

Constituency office:
Station Road, Totnes TQ9 5HW
Tel: 01803 868378

Rackley, Shaun

From: Thomas, David
Sent: 29 July 2013 15:51
To: Rackley, Shaun
Subject: Application for new premises licence - Bargain Booze, Foxhole Road, Paignton

Hi Shaun,

After looking through the application, I would like to make a formal representation based on the Prevention of Crime & Disorder and Public Nuisance.

I believe that a culture has been established around the outside of Bargain Booze, whereby youngsters have been seen congregating outside this area, in order for them to both buy and consume alcohol under age in the street.

I am recently informed, as previously as Saturday of this week, that since Bargain Booze has closed these events are now NOT taking place, despite the fact of there still being 2 off licenses in the local area. I am very concerned that allowing this application will return to the 'bad old days'.

I am happy to attend a hearing and would wish to speak at that hearing to voice the concerns from some of the residents of the area.

David Thomas

CLlr David Thomas
Deputy Mayor
Executive Lead for Spatial Planning, Housing and Energy

Tel: 01803 207069
Mobile: 07917 072227

Torbay Council,
Town Hall,
Castle Circus,
Torquay,
Devon,
TQ1 3DR

 david.thomas@torbay.gov.uk

This email and any attachments are intended solely for the use of the intended recipient(s) and may contain confidential information and/or may be legally privileged. If you have received this email in error, please notify the sender immediately and delete this email.

 **Save Paper - Do you really need to print this e-mail?**

Guy, Mandy

From:

Sent:

To:

Subject:

APPLICATION FOR ALCOHOL licence Bargain Booze Plus Foxhole Road Paignton

Dear Sir/Ma'am

I strongly object to the above being granted a licence to sell Alcohol on the following grounds.

1. Since the previous trader has ceased trading the gathering of children under the age of 18 outside the shops has dropped to None. This was brought up at the original hearing but was over ruled by the committee as being a problem. It was a problem that PSCSO's had to deal with but no longer do.
2. Since trading has ceased the litter problem has stopped and the area outside the shops has improved too fold this can be backed up by the street wardens and local PCSO.
3. The projection of children from Alcohol is paramount in to days society. The newly refurbished park where young children play. Having yet another establishment that promotes and sells Alcohol must me looked at and the children safe guarded against it. The Co-Op and Foxys drinks both have very high standards and are compliant with the law Bargain Booze pushes the advertising to far young children to drink.
4. The need to have a 6th establishment within 1 mile of each other is ludicrous this again was said on the original application and he was told he would go bump due to the competition. This has happened and i strongly urge you to reject the application on the above grounds.

Kind regards

Rackley, Shaun

From:
Sent:
To:
Subject: Re: UNCLASSIFIED: Application for new premises licence - Bargain Booze, Foxhole Road, Paignton

Dear Shaun,

Thank you for the your reply.

Here are my objections as per your request.

1. The prevention of crime and disorder:

The local PCSO and police have cut crime including Anti social behaviour on the Foxhole estate. Whilst Bargain booze plus was open both rose again which included Anti social behaviour with kids under 18 hanging around the shops swearing, drinking and verbally abusing members of the public. There was also a robbery at knife point on Foxhole news. It also promotes and encourages Drink driving This has stopped since bargain booze shut/went bankrupt in Dec 2012/Jan 2013.

2. Public safety,

The increase in the volume of traffic caused by people going to Bargain Booze caused problems to the public who could not park outside the shops and in some cases their own homes opposite. It is to be pointed out that this traffic was caused by friends going to the store as the only people that used it.

3. Prevention of public nuisance.

The noise from people and children caused by the increase in traffic and public to the area is a nuisance at 2300hrs / 10 pm people and children are trying to sleep and people arguing and car doors banging is and was unacceptable. This coupled with teenagers and kids sitting on the park walls and in the park at hours day and night is a public nuisance.

4. The protection of children from harm.

Bargain Booze is located directly opposite a public childrens park that was designed for young children and parents to sit and play. Not only does it advertise and promote drinking to children it also sets a bad example ad also allows parents that are not responsible to wonder over (a distance of 15 meters) buy and then drink alcohol in the park leaving empty bottles and cans leads to children getting hurt.

As i said the other day i can not work out why the Foxhole estate needs 3 licensed premises all with in 50 metres of each other and a further 4 within a mile of it. This is more than any area including Torquay town centre and i would welcome a face to face meeting on Foxhole to enable you to see the close proximities and especially how close it is to the childrens park and the harm it will cause.

I hope this is satisfactory.

Kind regards & best wishes

On 26 July 2013 16:03, Rackley, Shaun <Shaun.Rackley@torbay.gcsx.gov.uk> wrote:

Dear

Thank you for your representation in regard to the new premises licence at Bargain Booze, Foxhole Road, Paignton.

We are considering accepting your representation, however to aid us in our decision, would you be able to provide us with further information, including some specific examples which are relevant to the licensing objectives. We would need to receive these by the 30th July 2013.

I look forward to receiving this information.

Regards

Shaun

Shaun Rackley

Licensing Enforcement Officer

Torbay Council,

C/O Town Hall

Castle Circus

Torquay

TQ1 3DR

Tel: -01803 208025

Guy, Mandy

From: —9
Sent: 2
To: 4
Subject: RE: Application for Alcohol license Bargain Booze Plus Foxhole Road Paignton

Dear Sirs,

I agree with exactly what was to say.

On several occasions I witnessed 18 – 19 year old males going into Bargain Booze and coming out to give the alcohol they had just bought to their friends and family who were as young as 12 years old.

On one occasion I did make a complaint at the time and I believe the police or PSCSO did attend.

As said there is a young children's park now directly opposite Bargain Booze and it is well used. I myself have 3 children 2 are primary school age. I do not want them going over the park to find broken bottles and to be harassed by groups of teenagers who are drinking.

Prior to the new park my son's would use the area for their scooters but had to stop due to bullying, foul language and broken glass from these youths and this was during the day time.

Since Bargain Booze has ceased trading we have not had any antisocial behaviour issues over at the shops.

I do not see the need for yet another licensed premise where there are already 6 within a 1 mile radius.

Regards

Dear Sir/Ma'am

I strongly object to the above being granted a licence to sell Alcohol on the following grounds.

1. Since the previous trader has ceased trading the gathering of children under the age of 18 outside the shops has dropped to None. This was brought up at the original hearing but was over ruled by the committee as being a problem. It was a problem that PSCSO's had to deal with but no longer do.
2. Since trading has ceased the litter problem has stopped and the area outside the shops has improved too fold this can be backed up by the street wardens and local PCSO.
3. The projection of children from Alcohol is paramount in to days society. The newly refurbished park where young children play. Having yet another establishment that promotes and sells Alcohol must me looked at and the children safe guarded against it. The Co-Op and Foxys drinks both have very high

standards and are compliant with the law Bargain Booze pushes the advertising to far young children to drink.

4. The need to have a 6th establishment within 1 mile of each other is ludicrous this again was said on the original application and he was told he would go bump due to the competition. This has happened and i strongly urge you to reject the application on the above grounds.

Rackley, Shaun

From:
Sent:
To:
Cc:
Subject:

in Booze, Foxhole

Hi Shaun,

I afraid I do not have dates but I can give instances that would meet some if not all of the licenses' objectives.

1. My son, who was 6 years old at the time, went across to the paved area opposite Bargin Booze with my 14 year old daughter to play on their scooters and run around. Within 5 minutes they were back, My children told me that "the group of teenagers" meaning the group that normally hang around Bargin Booze and the shops, "were calling names and throwing cans at us". I remember commenting that they would be going out to the church youth club soon so it must have been a Thursday. This happened around 3 times in the space of a month so my children stopped playing over there.

This incident covers number 2, 3 & 4 of the licensing objectives. 2, Public safety – 3 Prevention of public Nuisance, - 4 protection of children from harm.

2. On a separate occasion my daughter, then 14 years old, went to ride her bike over the paved area opposite the shops on Foxhole Road. She came back in tears because teenagers as young as 12 years old were over there drinking from cans they had just bought from Bargin Booze (she said they were alcohol but I didn't go and look for myself. She had just seen one of the lads go into Bargin Booze and came out with 2 lots of cans which he then passed around his mates and they sat drinking on the walls of the paved area). They had started to call her fat and fatty and laugh and torment her because she wasn't very good at riding her bike. To this day she has not ridden her bike again and has only just started to take her brothers over to the new children's pavement games that have been set up.

Again this incident covers several of the licensing objectives: Public Safety – Prevention of public nuisance and protection of children from harm. Along with, prevention of crime, if the cans were indeed alcohol.

3. I myself witnessed a young lad go into Bargin Booze and come out with what looked like larger cans (they were not the small energy drink sized cans, or coke sized cans they were big and green like Carlsberg cans). I watched, as I sat in my car, the lad hand out these cans to his friends all of whom were congregated around the door of Bargin Booze most of whom looked under 18 years old including the lad that had just made the purchase. I tried to take pictures with my mobile phone but they were too far away to pick up. The time was 5.30pm as I was about to collect my children from after school club and nursery. Following the incidents above I called the police non emergency number to report what I had just seen. I believe the community constable attended and moved them on.

This covers objective 1 prevention of crime and disorder.

4. One afternoon after school I was sat in my front garden with my children, 14 years, 6 years & 3 years. They were playing nicely when we heard a lot of screaming, shouting and foul language come from the direction of the shops. A group of above 7 boys and 3 girls were hanging around Bargin Booze and the green in front of the shops. Their ages ranged from 7 years to 18 years, some of them I recognized as part of the usual group that hang around Bargin booze. They were throwing there drinks over each other running in front of cars and around the car park of the shops screaming and shouting and swearing at each other. This lasted for about ½ and hour before I had to take my children inside to prevent them from picking up the language they were using.

Groups of youths were always hanging around Bargin Booze and the shops at all hours. Living opposite the shops we were subjected to foul language, shouting and screaming at all hours and a lot of unsociable behaviour. Since Bargin Booze has closed there have been no incidents of anti social behaviour, no groups of youths at all hanging around. Both the Co-op and Foxy's drinks will not stand for groups hanging around and move them on immediately they become aware.

There has now been a new young children's park built on the pavement and green opposite the shops, at great expense and it is well used by primary school age children, mine included. I have real concerns that should yet

another license be granted for alcohol the children will be in danger of harm from older youths, subjected to bullying and foul language as before. There is no need for a 3rd licensed premise within the Foxhole Road shops area.

I believe the licensing committee and council have a duty of care to prevent a public nuisance, promote public safety and protect the local children from harm including harm from bullying. I would hate to see the lovely new park become vandalized and not used due to fear of older children bullying. We all had these concerns before but we were not listened to and our fears became reality whilst Bargain Booze was trading, but we have had NO trouble since it ceased trading.

Regards

le Road, Paignton

Thank you for your representation in regard to the new premises licence at Bargain Booze, Foxhole Road, Paignton.

We are considering accepting your representation, however to aid us in our decision, would you be able to provide us with further information, including some specific examples which are relevant to the licensing objectives. We would need to receive these by the 30th July 2013.

I look forward to receiving this information.

Regards

Shaun

Shaun Rackley
Licensing Enforcement Officer
Torbay Council,
C/O Town Hall
Castle Circus
Torquay
TQ1 3DR
Tel:-01803 208025
Fax:-01803 208854

Information in this message is confidential and may be legally privileged. It is intended solely for the person to whom it is addressed. If you are not the intended recipient, please notify the sender and please delete the message from your system immediately. The views in this message may be personal and therefore not necessarily those of Torbay Council.

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only.

If you have received this email in error, please notify the system manager or the sender immediately and do not disclose the contents to anyone or make copies thereof.

*** eSafe scanned this email for viruses, vandals, and malicious content. ***

