



Wednesday, 4 April 2018

LICENSING SUB-COMMITTEE

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

Thursday, 12 April 2018

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 Doggett

Councillor Sykes

Councillor Thomas (J)

A prosperous and healthy Torbay

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

Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR
01803 207087

Email: governance.support@torbay.gov.uk

www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the 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. **Twenty 1 Ltd, 21 Victoria Parade, Torquay** (Pages 3 - 39)
To consider an application for a Premises Licence in respect of Twenty 1 Ltd, 21 Victoria Parade, Torquay.
6. **Torre Abbey, The Kings Drive, Torquay** (Pages 40 - 83)
To consider an application for a Variation to a Premises Licence in respect of Torre Abbey, The Kings Drive, Torquay.



Briefing Report No: Public Agenda Item: **Yes**

Title: **Twenty 1 Ltd, 21 Victoria Parade, Torquay**

Wards Affected: **Tormohun**

To: **Licensing Sub Committee** **12 April 2018**

Contact Officer: **Mandy Guy**

☎ Telephone: **01803 208293**

✉ 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. The Premises is situated within the Cumulative Impact Area.
- 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 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:-

Films and Indoor Sporting Events from 8.00am until 23.00pm indoors 7 days a week.

The provision of Live Music from 10.00am until midnight indoors 7 days a week.

The provision of Recorded Music from 8.00am until 2.00am indoors and outdoors 7 days a week.

Late Night Refreshment from 23.00 until 2.00am indoors and outdoors 7 days a week.

The Supply of Alcohol from 8.00am until 2.00am on the premises 7 days a week.

To be open to the public from 8.00am until 2.30am 7 days a week.

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satisfied that the Representations have been received within the appropriate time scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received three Representations from Members of the Public 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 2.

There have been no Representations received from any 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 Representation and the procedure to be followed at the hearing.
- 2.5 If the application is refused, in whole or in part, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 1 of Schedule 5, to the Applicant.
- 2.6 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 2(1) of Schedule 5 to :-

- (a) The holder of the licence against any decision
 - (i) to impose conditions on the licence, or
 - (ii) to take any step to exclude a licensable activity or refuse to specify a person as Premises Supervisor.
- (b) Any person who made a relevant Representation who desires to contend
 - (i) that the licence ought not to have been granted, or
 - (ii) that, on granting the licence, the Licensing Authority ought to have imposed different or additional conditions, or taken any step to exclude a licensable activity or refuse to specify person as Premises Supervisor.

- 2.7 Following such Appeal, the Magistrates' Court may:-
- (a) dismiss the appeal,
 - (b) substitute for the decision appealed against any other decision which could have been made by the Licensing Authority, or
 - (c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the Court,
- and may make such order as to costs as it thinks fit.

Steve Cox
Environmental Health Manager (Commercial)

Appendices

Appendix 1 Details of the application.

Appendix 2 Three Representations from members of the public.

Documents available in Members' rooms

None

Background Papers:

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

Torbay Council Licensing Policy 2016-2012.



Torbay Application for a premises licence Licensing Act 2003	TORBAY COUNCIL 15 FEB 2019	For help contact https://forms.torbay.gov.uk/ContactLicenseTrading Telephone: 01803 208025
COMMUNITY SAFETY		

* required information

Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

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

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No
 Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No
 Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

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 21

PREMISES DETAILS

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

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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 Her Majesty's prerogative

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NON INDIVIDUAL APPLICANTS

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

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

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

Continued from previous page...

Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

* Date of birth / /

* Nationality Documents that demonstrate entitlement to work in the UK

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Bar lounge and Eatery.		
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Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes

No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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...

SUNDAY

Start 08:00

End 23:00

Start

End

Will the exhibition of films 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 the exhibition of film

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 exhibition of film 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 Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.

An additional hour to finish timers of the following days:

a) Sunday immediately before bank holiday Monday

b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.

On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Standard Days And Timings

MONDAY

Start 08:00

End 23:00

Start

End

TUESDAY

Start 08:00

End 23:00

Start

End

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

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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 indoor sporting events

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 indoor sporting events 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 Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.

An additional hour to finish timers of the following days:

a) Sunday immediately before bank holiday Monday

b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.

On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

Continued from previous page...

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start 10:00

End 00:00

Start

End

TUESDAY

Start 10:00

End 00:00

Start

End

WEDNESDAY

Start 10:00

End 00:00

Start

End

THURSDAY

Start 10:00

End 00:00

Start

End

FRIDAY

Start 10:00

End 00:00

Start

End

SATURDAY

Start 10:00

End 00:00

Start

End

SUNDAY

Start 10:00

End 00:00

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.

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

Indoors Outdoors Both

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

Continued from previous page...

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 the performance of live music

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

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

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

On Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.
An additional hour to finish timers of the following days:

- a) Sunday immediately before bank holiday Monday
 - b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.
- On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

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...

THURSDAY

Start 08:00

End 02:00

Start

End

FRIDAY

Start 08:00

End 02:00

Start

End

SATURDAY

Start 08:00

End 02:00

Start

End

SUNDAY

Start 08:00

End 02:00

Start

End

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

Indoors

Outdoors

Both

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

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

State any seasonal variations for playing recorded music

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

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

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

On Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.

An additional hour to finish timers of the following days:

a) Sunday immediately before bank holiday Monday

b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.

On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

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PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

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

See guidance on regulated entertainment

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

Yes

No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

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...

SUNDAY

Start

End

Start

End

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 Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.

An additional hour to finish timers of the following days:

- a) Sunday immediately before bank holiday Monday
- b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.

On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

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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...

On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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

Continued from previous page...

TUESDAY

Start 08:00

End 02:00

Start

End

WEDNESDAY

Start 08:00

End 02:00

Start

End

THURSDAY

Start 08:00

End 02:00

Start

End

FRIDAY

Start 08:00

End 02:00

Start

End

SATURDAY

Start 08:00

End 02:00

Start

End

SUNDAY

Start 08:00

End 02:00

Start

End

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 Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.
An additional hour to finish timers of the following days:
a) Sunday immediately before bank holiday Monday
b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.

Continued from previous page...

None

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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

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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.

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Continued from previous page...

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

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

On Christmas Eve and New Years Eve from the end permitted hours to the start of the permitted hours on the following day.
An additional hour to finish timers of the following days:
a) Sunday immediately before bank holiday Monday
b) The morning British summertime begins to allow for clocks going forward at 01:00 hrs.
On Saint Patrick's Day, St Georges Day and St Valentines Day 07:00 to 04:00

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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.

- 1) The balcony on the first floor of the premises will not be used after 00:30 hrs.
- 2) The sale and consumption of alcohol on the 2nd floor shall cease at 12:3.0am and all persons will vacate this area by no later than 01:00am
- 3) We are also making the first floor balcony a non-smoking area upon the neighbors request.

b) The prevention of crime and disorder

- 1) A CCTV system, capable of providing images of an evidential standard in all lighting conditions, particularly with regard to facial recognition, shall operate throughout the times the premises are open to the public, with monitors behind all bars and a recording system. All recordings shall be kept for a minimum of 14 days and copies of recordings shall be supplied to the police within 7 days of any request.
- 2) Any identified defect in the CCTV system shall be logged at the premises and remedied as soon as reasonably practicable. The Police Licensing Officer or Police Licensing Team shall be notified by email of all defects, the action required to rectify the situation and the time frame for such action, within 24 hours of the defect being identified.
- 3) On any Friday and Saturday night that the premises remain open for the sale of alcohol and then closes after 0030 hrs, SIA door supervisors shall be employed on the premises from 2200 until all customers have left the vicinity after the premises close, at a ratio of 1 steward to each 100 persons. (This condition shall also apply on Christmas Eve and New Years Eve when they do not fall on a Friday or Saturday). On all other occasions, the Premises Licence Holder/DPS shall carry out a risk assessment to determine the requirement for door supervisors, based on the layout of the premises and the proposed activity to be carried out, and employ such door supervisors, if at all, in such numbers and at such times determined by that risk assessment.
- 4) On every operational day that SIA door supervisors are required, then those stewards who are employed for front of house duties must wear yellow high visibility jackets for the entirety of their duty.
- 5) The premises shall join the Nitenet Radio System and actively participate in this initiative.
- 6) Any persons employed at the premises in the sale and supply of alcohol at the premises after midnight, shall attend and successfully complete the BIIAB Level 1 Award in Responsible Alcohol Retailing (or equivalent course deemed appropriate by the Police Licensing Officer) within 3 months of commencing employment.
- 7) A record of all staff training, including copies of all relevant BIIAB Certificates, shall be kept at the premises for a minimum

Continued from previous page...

period of 12 months and be available to the police or Local Authority Licensing Officers for inspection on demand.

8) A Personal Licence Holder shall be on duty at all times the premises sell or supply alcohol.

9) Notices regarding the refusal of sale of alcohol to persons who appear drunk shall be prominently displayed at all points of sale and supply of alcohol, for the attention of persons so employed.

10) Notices regarding the refusal of sale of alcohol to persons who appear drunk shall be prominently displayed at all points of sale and at the entrance of the premises, for the attention of all customers.

11) The DPS shall ensure that an Incident Book is kept on the premises and that all incidents are recorded therein on a daily basis. This record shall include the full names of all persons involved, if possible or practical to do so. The Incident Book shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand, and such records shall be kept at the premises for a minimum of 12 months.

12) The Premises Licence Holder will ensure that the DPS or other nominated person shall attend at least two meetings of the Torquay Licensing Forum per calendar year, together with any other meetings arranged by the police in respect of high risk events.

13) All drinks shall be served in shatterproof glasses or plastic/polycarbonate vessels and no alcohol shall be served in glass bottles after 00:00 hrs from which it is intended or likely that a person shall drink.

14) The premises shall have a zero tolerance to controlled drugs and have a written drugs policy outlining what action will be taken in respect of individuals found in possession of drugs. A copy of this policy shall be retained on the premises and shall be made available for inspection by a police officer, a police licensing officer or officers of the local authority on demand.

15) The consumption of alcohol in the Pavement Café Permit area (if applicable) shall be restricted to the times indicated within the Permit and in compliance with all the terms and conditions specified therein.

c) Public safety

d) The prevention of public nuisance

1.) The volume of amplified sound used in connection with the entertainment provided shall at all times be under the control of the management.

2) Noise or vibration must not emanate from the premises such as to cause persons in the neighborhood to be unreasonable disturbed. In general terms, noise from the premises shall not be audible within any noise sensitive premises (e.g dwelling) with windows open for normal ventilation especially after 11.00pm. 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 11.00pm - noise emanating from the premises will not be clearly distinguishable above other noise.
- ii) After 11.00pm - 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.

3) Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

4) The placing of refuse, such as bottles into receptacles outside the premises must take place at times that will prevent disturbance to nearby properties.

Continued from previous page...

- 5) Deliveries of kegs, bottles, food and other materials necessary for the operation of the business must be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
- 6) Patrons shall 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.
- 7) A senior member of staff (manager) shall assess the impact of any noise activities on neighboring residential premises at the start of the activity/entertainment and periodically throughout activity/entertainment to ensure levels of noise have not increased.
- 8) On calling last orders and at the end of the regulated entertainment, an announcement shall be made requesting patrons to leave the areas as quickly and quietly as possible.

e) The protection of children from harm

- 1) The premises shall adopt a challenge 25 policy and any individual that appears to be under the age of 25 will be required to provide an approved form of photographic identification outlined within the Torbay Council Statement of Licensing Principles.
- 2) All staff will be trained in this policy (including acceptable forms of proof of age)
- 3) No persons under the age of 18 year shall be permitted in the premises after 22:00hrs unless they are attending a pre-booked private function at the premises, during which time the premises are not open to the general public.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Sealing for the future

**THESE DRAWINGS ARE
BEING UNDER TAKEN /
COMPLETED UNDER PHASE 1**

The drawings include:

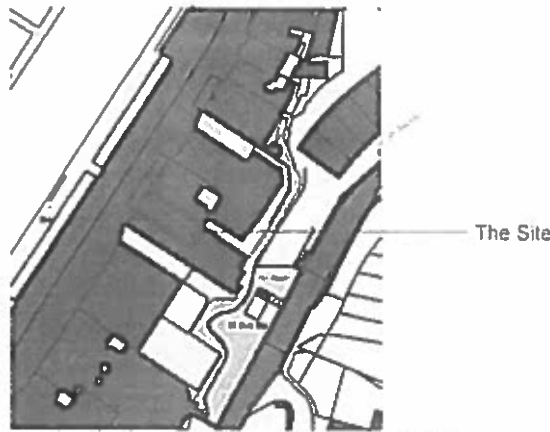
- Top Left:** Detailed floor plan of a large room with a grid of columns and various annotations.
- Top Right:** Detailed floor plan of a smaller room with a grid of columns and various annotations.
- Bottom Left:** Elevation drawing of a building facade showing windows and doors.
- Bottom Center:** Elevation drawing of a building facade showing a different section.
- Bottom Right:** Site plan showing the building footprint in a dark grey area, with surrounding areas and a scale bar.

**PHASE 2
Building Regulations**

73.17.201

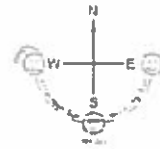
Designing For The Future

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Ordnance Survey (c) Crown Copyright 2017. All rights reserved. Licence number: 100024822

Location Plan 1:1250



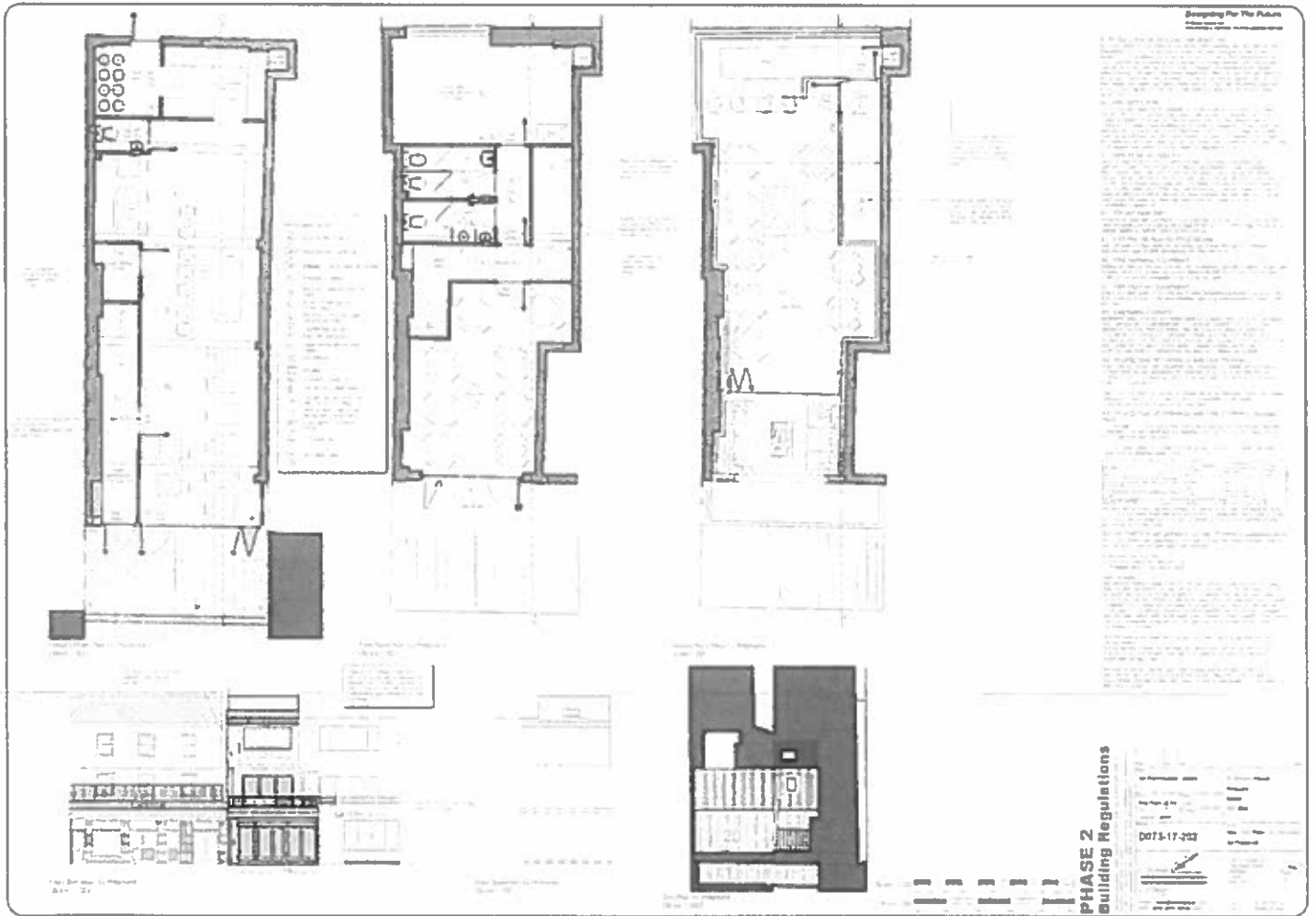
Scale 1:1250



PHASE 2
Location Plan

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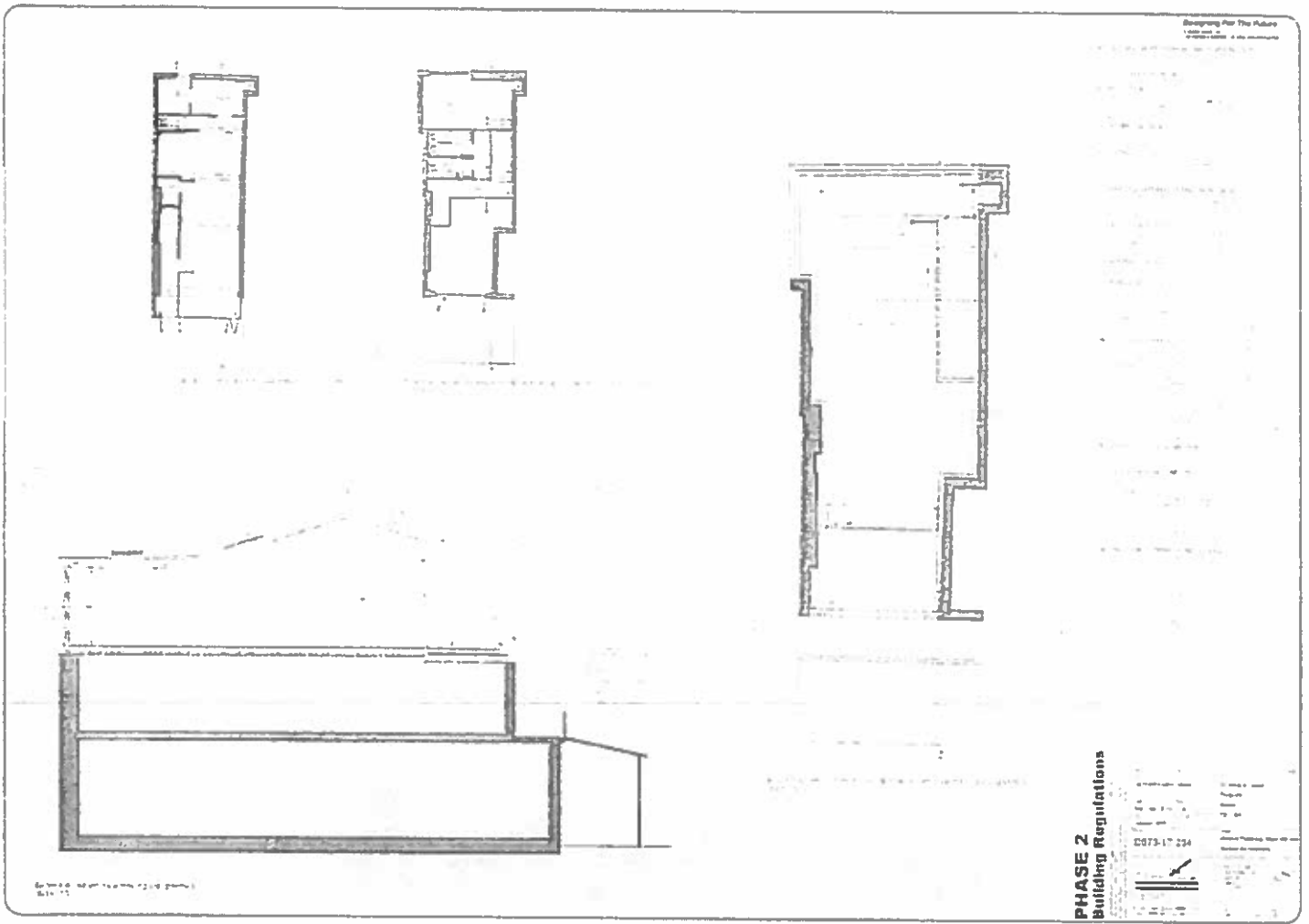
1st Maintenance Limited		21 Victoria Parade	
Torquay		Devon	
TQ1 2BB			
Sheet	LG	Revision	
See Plan @ A4		January 2018	F
Project No	D073-17-200	Drawing	Location Plan
			As Existing
		Dillon Design Ltd 78A Evers Road Exmouth Devon EX9 1PC	
E-mail: info@dillondesign.co.uk Web: www.dillondesign.co.uk		Tel: 01395 272730 Fax: 01395 272735	

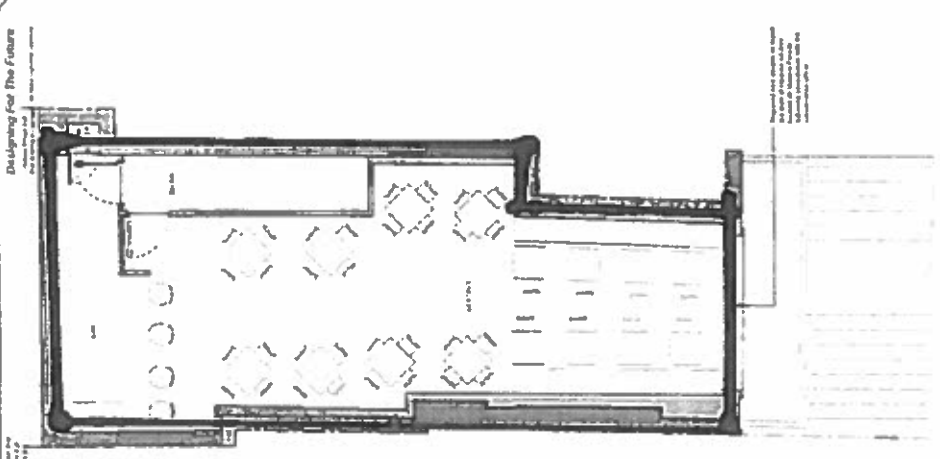
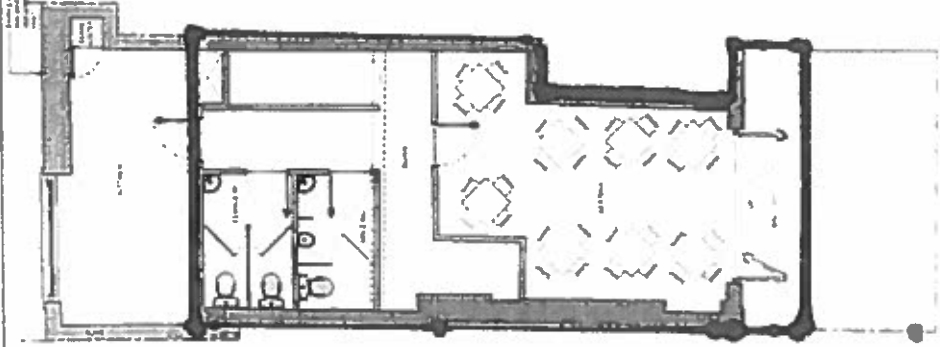
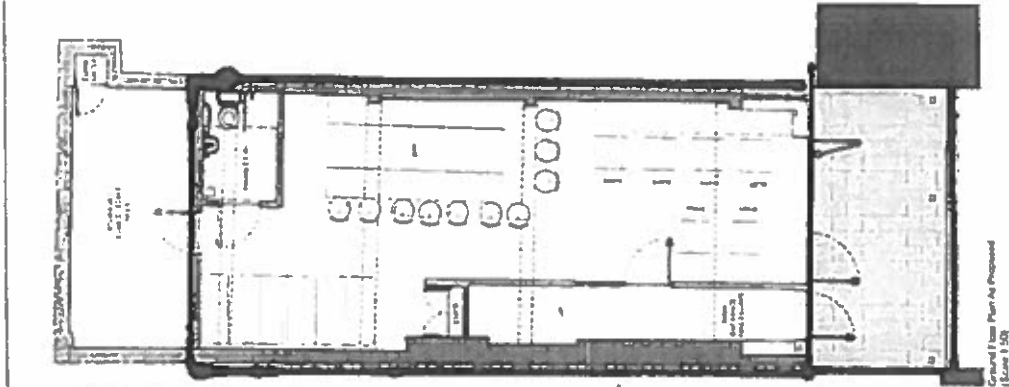
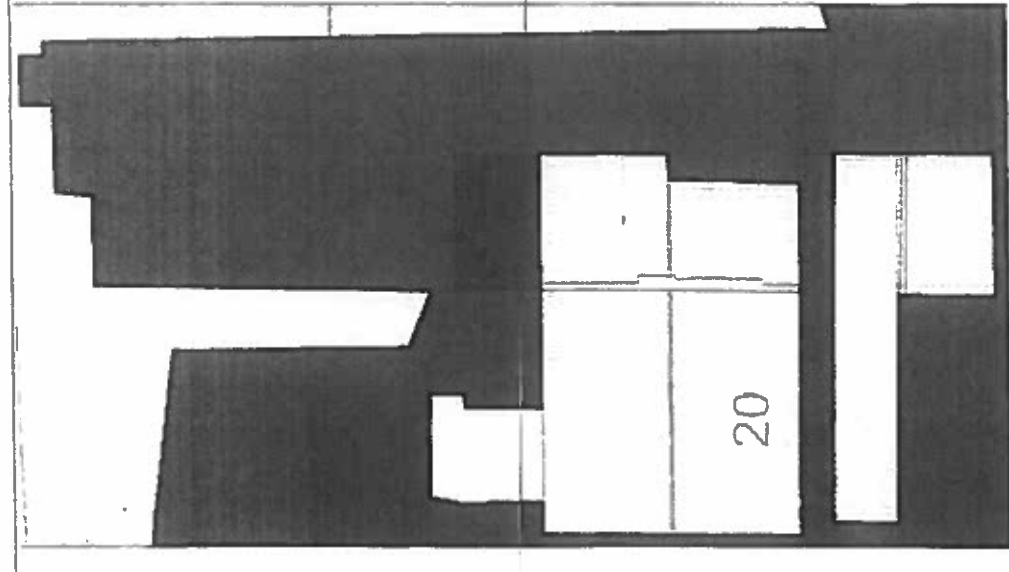


Designing for Big Ideas
A COMMITMENT TO EXCELLENCE

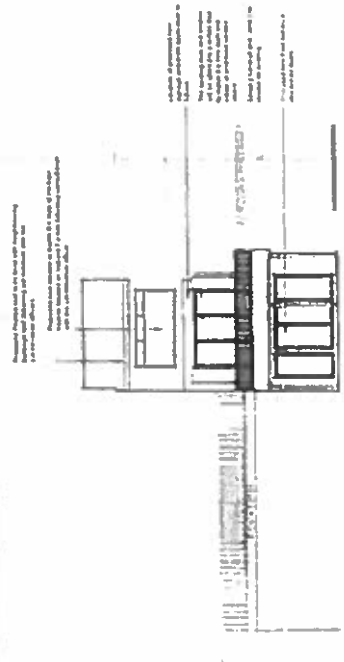
The drawing set includes several key components:

- Top Left:** Two text boxes containing project information and notes.
- Left Side:** A large, dark-shaded area representing a building footprint or site boundary, with a smaller rectangular feature inside.
- Center:** Two vertical floor plans showing room layouts and structural elements.
- Right Side:** A detailed longitudinal section of a building, showing internal structure, roof profile, and floor levels.
- Bottom Center:** A smaller floor plan or section detail.
- Bottom Right:** A large block of text providing detailed specifications and notes for the building regulations phase.
- Bottom Left:** A note regarding dimensions: "FACTORY TO NOTE THAT DIMENSIONS INDICATED ARE INDICATIVE AND ARE SUBJECT TO SITE CHECKS".
- Bottom Right:** A stamp area with the text "PHASE 2 Building Regulations" and a date "0975-17-202".





● - Licensed Areas
 ○ - Pavement Cafe Area



First Elevation As Proposed
(Scale 1:100)

Second Elevation As Proposed
(Scale 1:100)

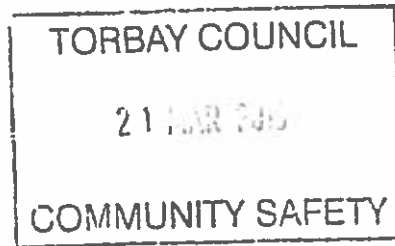
Scale 1:100

Scale 1:50

Scale 1:50

Scale 1:50

Planning Permission
 D073-17-102
 Design



~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXX~~

Email: ~~XXXXXXXXXXXXXXXXXXXX~~

Licensing and Public Protection
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

19th of March 2018

Ref: Twenty1 Ltd.
Application number: 049864

Dear Sir/Madam,

I would like to make a representation about the application for a late licence at the above premises against which I am objecting:

21, Victoria Parade,
Torquay.

The licence applied for as I understand it is for a 2.30am licence. I own the adjoining flat on the second floor at Victoria Road. I objected to the planning application for the use for this building previously, but, note that planning permission has been granted so the new owners can operate their business changing use from what was a ground floor restaurant to a three storey entertainment venue. The planning permission states that the first floor balcony shall only be used between the hours of 12.00 and 21.00. Even these hours will cause significant disturbance and therefore request that the licence be kept to the

minimum/shortest hours possible and that this establishment be closed in the evenings on as many days as possible too.

1

The Prevention of Public Nuisance

This will create a public/noise nuisance for the following reasons:

My residential home is on the Second floor of number , Victoria Parade.

My living room and bedroom walls abut the new construction of this venue.

I would request that this floor should not be used at all.

My flat is currently rented to a young couple and new born baby, they rented the property when a Thai Restaurant was at number 21 operating out of the ground floor, the new construction allows for the operator to operate a business on all three floors, including the floor with party walls to my living room, kitchen and bedroom.

The change of use and now subsequent licensing request show that the new operator wishes to operate a club with music, alcohol and the subsequent noise and disturbance associated with these activities

The noise from late night revellers will also be heard at the front of the building therefore preventing sleep.

My flat, purchased in 2003 is in an old fishermans house dating back to 1840, we do not have air conditioning and rely on air flow through the building by opening windows, this will not be possible if noise from the adjacent property is permitted to pollute the area, it seems disingenuous in the extreme, that the developer promises so much and then applies for an unrestricted licence to serve alcohol and play music until 2.30am each night.

Quality of life and ability to enjoy the flat will be severely compromised if the licence is issued. I would ask that the licence is rejected on present application and, if a licence is to be granted, it is granted with restrictions to noise, music and the sale of alcohol to more reasonable times that will allow the use of the flat in the way that any normal household with a new child would want to.

The Prevention of Crime and Disorder

I acknowledge that Victoria Parade is in part a commercial area with a number of restaurants and bars, there are already notable problems of violence and rowdy behaviour, sometimes involving the police. To allow this late license will add to this problem.

My flat will become vulnerable to burglars and the possibility of opportunistic criminal damage from the bar next door.

There are enough late night establishments on Victoria Parade that attract undesirable people and create problems for the police. I don't think Victoria Parade needs more of the same.

Torquay Cumulative Impact Statement

Below I have attached the above statement regarding the harbour area, I have not noticed this as having been rescinded and would ask that you observe your own policies.

Section D - Cumulative Impact Policy

What is it and what does it mean to me?

As part of its Statement of Licensing Policy, Torbay Council consulted upon and included a Cumulative Impact Policy for Torquay Harbour-side and Town Centre Area. This means that a defined area of Torquay is considered "saturated" with licensed premises. The boundaries of this area can be found in the main Statement of Licensing Principles.

What if I already have a premises in the Cumulative Impact Area?

If you already have a licensed premise in the Cumulative Impact Area (CIA) your current trading position will remain unchanged. However if you wish to vary your premises licence e.g. to extend your trading hours, then the restrictions of the CIA will apply. If your existing premises in the CIA requires a licence for the first time e.g. a takeaway establishment offering hot food after 11pm, then the new regulations apply. Early consultation with Torbay Council's Licensing Team is advised.

What if I want to develop a new licensed premises in the CIA?

Any new licensed premises would initially require planning consent or change of use. This is a planning matter, which is dealt with exclusively by Torbay Council's Planning Department. The subsequent requirement for a premises/club premises licence under Licensing Act 2003 requires a separate application to the Licensing Authority once the appropriate planning consents have been granted.

In the CIA it is unlikely that any new licence will be granted, even if Planning consent is obtained, unless a very good case is made. More information is provided below. All applicants are advised to contact the Licensing Team at the earliest opportunity when considering an application in the CIA.

What happens when I submit an application for a variation or a new Premises Licence within the CIA?

The CIA creates a "rebuttable presumption to refuse" an application. This means that if the applicant submits an application and one of the Responsible Authorities raises an objection, the application will be referred to Torbay Council's Licensing Committee and is likely to be refused. The grounds for this refusal are that the development of the establishment would have a negative impact on Crime and Disorder, which is one of the licensing objectives. However, in all cases the applicant will have the opportunity to demonstrate in their application that this is not the case and each case will be considered by the Licensing Committee on its own merits.

How can I find out whether or not my premises is within the CIA?

The boundaries of the CIA can be found in appendix 1 to the Statement of Licensing Principles. Owing to the scale of this map it may not be possible to accurately identify whether or not your premise is included. If this is the case, maps to a larger scale are available on request from the Licensing Team, or at a Torbay Council Connections office during normal office hours.

Making the case for a new premises or a variation of an existing licence

The responsibility for making a case within the CIA lies with the applicant, and each case will be considered on its merits. The important issue is that any new premises or changes in activities at existing premises must not further impact on issues of crime and disorder. For

example, a new 500 person night club is likely to impact, while an hour later opening for an existing restaurant may not.

There are some suggested model conditions within our model condition document, but simply adding those to the operating schedule of a new application or variation application may not be enough, in so much as the Responsible Authorities and Licensing Committee must be satisfied that the changes will not lead to increases in crime and disorder, and in fact will reduce the likelihood of problems.

Essential Contacts:

Planning and Conservation Division
Town Hall
Castle Circus
Torquay
Circus
TQ2 5DP


Licensing and Public Protection Team
Community Safety
Town Hall
Castle
Torquay

TQ1 3DR

Tel: 01803 207801

Tel: 01803 208025

Yours sincerely



From: [redacted]
Subject: [redacted]
Date: 20 March 2018 at 03:29
To: [redacted]



TORSAY COUNCIL
21
COMMUNITY SAFETY

[redacted]
[redacted]

20th March 2017

APPLICATION NO 049864 TWENTY 1 LTD

PREVENTION OF PUBLIC NUISANCE

I will be present and making representation at the forthcoming licensing hearing concerning the following . My wife and I have lived at these premises for over thirty years , we are supportive of improvements to the area how ever we are concerned for our quality of life that we will have in our home if this license is to be granted without the following conditions being applied to this license application . For the last few months we have had distributed sleep with building work starting early morning and what only I could describe is like having the builders in our bedroom ever morning . This has caused ill health to my wife and myself. We are also concerned of how is it possible to state the amplified music would not cause a disturbance to us when it has not been tested .

Also we are aware of the lengthy process to of which we would have to undertake to bring this license to a review if this was not satisfactory.

HOURS REQUESTED

I recently spoke with the applicant Mr Jones and stated that a midnight finish on the first & second floor was the most we could tolerate since the sound proofing is totally unproven . I will be asking the committee to impose a 2330 bar closure and 30 mins drinking up time until the acoustic boarding is shown to be adequate.

GROUND FLOOR

The noise report fails to recognise the need for a limitation device to the amplifiers. We could not accept a 4 am terminal hour on any day whilst we do not have any idea on the impact of this licence.

DUMB WAITER

Situated over the 3 floors and set inside the cavity wall in our bedroom . This is an old noisy jumbling relic and we will ask the committee to impose 2300 to 0900 ban on the use of this lift .

Yours sincerely

[Handwritten signature]
[Redacted contact information]

Sent from my iPad

Delivered by hand to the council offices and by post/recorded delivery on the 16th of March 2018 and the 20th of March 2018

TORBAY COUNCIL
21 MAR 2018
COMMUNITY SAFETY

~~21 Victoria Parade,~~
~~Torquay,~~
~~Devon TQ1 3DR,~~
~~Torquay TQ1 3DR~~
~~21 Victoria Parade,~~

Licensing and Public Protection
Torbay Council
Town Hall
Castle Circus
Torquay
TQ1 3DR

15th of March 2018

Ref: Twenty1 Ltd.

Application number: 049864 049864

Dear Sir/Madam,

I would like to make a representation about the application for a late licence at the above premises against which I am objecting:

21, Victoria Parade,
Torquay.

The licence applied for as I understand it is for a 2.30am licence. I own the adjoining flat at 21 Victoria Road. I objected to the planning application for the use for this building already but note that planning permission has been granted. The planning permission states that the first floor balcony shall only be used between the hours of 12.00 and 21.00. Even these hours will cause significant disturbance and therefore request that the licence be kept to the minimum/shortest hours possible and that this establishment be closed in the evenings on as many days as possible too.

The Prevention of Public Nuisance

This will create a public/noise nuisance for the following reasons:

My residential home is on the first floor of number 20, Victoria Parade.

My balcony adjoins the newly constructed balcony of this establishment.

I would request that this balcony should not be used at all.

The main bedroom window opens out on to my balcony and is within a few feet of the balcony next door. This will cause noise from late night drinkers and make it impossible to sleep next door to this.

Smokers may use this terrace and the smell of smoke will drift in to my bedroom window.

The noise from late night revellers will also be heard at the front of the building therefore preventing sleep.

The noise of police cars, ambulances etc coming to deal with disturbances and fights will encroach on the ability to enjoy my home as I have always done since 2003.

Public Safety

This will also create a safety issue as it may be possible for late night drinkers to climb on to my balcony as they will be adjoining. The planning permission does require a privacy screen to be erected in accordance with details to be agreed however no such details have yet been submitted to the LPA or agreed. A basic screen will not provide any form of security due to proximity and anyone leaning forward would be able to see me on my balcony (my only outdoor amenity area) and could easily climb round.

I would not feel safe opening my bedroom window at night knowing there are drunk people just a few feet away.

I would not feel safe on my balcony at any time of the day if I am honest. This was a private place where I could sit and look at the view and also sunbathe in the summer. This will not be possible if there are drinkers on the balcony next to mine.

Protection of children from harm

My daughter and son stay at my flat sometimes and my daughter has a young baby. It will not be safe to open the window at night for her or any other person/member of my family who has young children. Nor will it be safe for her to spend time on the balcony at any time of the day. Cigarette smoke would be also be harmful to her baby.

The Prevention of Crime and Disorder

I acknowledge that Victoria Parade is in part a commercial area with a number of restaurants and bars, there are already notable problems of violence and rowdy behavior, sometimes involving the police. To allow this late license will add to this problem.

My flat will become vulnerable to burglars and the possibility of opportunistic criminal damage from the bar next door.

There are enough late night establishments on Victoria Parade that attract undesirable people and create problems for the police. I don't think Victoria Parade needs more of the same.

Summary

I object strongly to the late license being granted for this premises for the reasons stated above.

In particular I object to the use of the new balcony by customers of the establishment.

If use of the balcony is to be permitted I request that the impacts are mitigated by the following:

3

A privacy and security screen is to be erected on the balcony to prevent overlooking and prevent the opportunity to climb onto my balcony. The screen to be provided before the balcony is brought into use.

Alcohol shall only be consumed on the balcony to persons seated at tables and provided by waitress service

The balcony shall only be used between the hours of 12.00 and 21.00 in accordance with the planning permission.

The owner shall provide a designated smoking area that is not on this balcony and smoking on the balcony shall be prohibited.

During any entertainment event involving live or recorded music (i.e., anything more than background music) the doors and windows at the first floor of the building shall be closed.

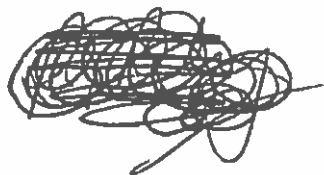
I understand that there should be a hearing within 21 days of you receiving this objection. Please can you make sure that you advise me of the date and time so that I may attend?

Please send an acknowledgement of receipt via email to:

~~020 8711 1000~~ or by post to the above address. Thankyou.

I look forward to hearing from you shortly.

Yours sincerely,



~~020 8711 1000~~



Public Agenda Item: **Yes**

Title: **Torre Abbey, The Kings Drive, Torquay**

Wards Affected: **Tormohun**

To: **Licensing Sub-Committee** On: **12 April 2018**

Contact Officer: **Mandy Guy**
Telephone: **01803 208025**
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 Variation to a 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” and “The Protection of Children from Harm”.
- 1.4 The matter must be considered on its own merits having received details of the issues arising either at a hearing or by written Representations if all parties have agreed that a hearing is not necessary. Having regard to the Representations and issues arising, a decision must be made to take such steps as are necessary for the promotion of the licensing objectives. These are either:-
 - (a) to modify the conditions of the licence, or
 - (b) reject the application in whole or in part.

For this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

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

2. Introduction

- 2.1 An application has been made under Section 34 of the Act for a Variation to a Premises Licence. Details of the application are shown in Appendix 1. Only the relevant pages of the application are shown.

A brief description of the proposed Variation is as follows:-

To increase the timings of the following by 2 hours from the current time of 9.00am until midnight to 9.00am until 2.00am: - Plays; Films; Recorded Music; Performance of Dance; anything similar to Live Music, Recorded Music or Performance of Dance. The increase is requested for indoors only. The timings for these activities outdoors will remain at 23.00pm.

To increase the hours for Late Night refreshment both indoors and outdoors from 11.00pm until midnight to 11.00pm until 2.00am which is an increase of 2 hours.

To increase the Sale of Alcohol from 9.00am until 11.30pm to 9.00am until 1.30am. This is an increase of 2 hours. The applicant has also requested off sales for the Sale of Alcohol.

The Opening Hours are presently 9.00am until midnight. The applicant has requested to extend them to 9.00am until 2.00am. This is an additional 2 hours.

- 2.2 A copy of the current premises licence showing the licensable activities, timings and conditions is shown at Appendix 2 of this report.

- 2.3 Torbay Council as the Licensing Authority is satisfied that the Applicant has met the administrative requirements of Section 35(1) but is unable to issue the variation to the Premises Licence, as relevant Representations have been received from Responsible Authorities. The Licensing Authority is also satisfied that the Representations were received within the appropriate time-scale, have not been subsequently withdrawn and are not vexatious or frivolous.

We have received a Representation from the Police in relation to the Licensing Objective "The Prevention of Crime and Disorder". This is shown as Appendix 3 of this report.

We have received a Representation from Safeguarding and Reviewing Service in relation to the Licensing Objective "The Protection of Children from Harm". This is shown as Appendix 4 of this report.

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

- 2.4 The Authority is required to conduct a hearing by the provisions of Section 35(3) unless all parties agree that this is not necessary.
- 2.5 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.

- 2.6 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.
- 2.7 If the application is granted, a Right of Appeal to the Magistrates' Court is granted by Section 181 of the Act and, by Paragraph 4(2) of Schedule 5 to :-
- (a) The applicant for the variation of the licence against any decision to modify the conditions
 - (b) Any person who made a relevant representation in relation to the application who desires to contend
 - (i) that any variation made ought not to have been made, or
 - (ii) that, when varying the licence, the Licensing Authority ought to have modified the conditions of the licence or ought to have modified them in a different way.
- 2.8 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.

Steve Cox
Environmental Health Manager (Commercial)

Appendices

Appendix 1	Relevant sections of the application form.
Appendix 2	Copy of the current Premises Licence and Plan.
Appendix 3	Representation from the Police
Appendix 4	Representation from Safeguarding and Reviewing Service

Documents available in members' rooms

None

Background Papers:

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

The current Premises Licence for the above Premise.
Torbay Council Licensing Policy 2016-2021.



Torbay
Application to vary a premises licence
Licensing Act 2003

For help contact
<https://forms.torbay.gov.uk/ContactLicenseTrading>
Telephone: 01803 208025

* required information

Section 1 of 18

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	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	TA17	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	Torbay Council	
* Family name	Torbay Council	
* E-mail	joseph.harvey@torbay.gov.uk	
Main telephone number	01803 208025	Include country code.
Other telephone number	01803 208025	

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

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

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...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

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

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

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

55,000

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes

No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe 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.

Historic House, Spanish Barn, Cafe and Grounds

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

WEDNESDAY

Start 09:00

End 02:00

Start

End

THURSDAY

Start 09:00

End 02:00

Start

End

FRIDAY

Start 09:00

End 02:00

Start

End

SATURDAY

Start 09:00

End 02:00

Start

End

SUNDAY

Start 09:00

End 02:00

Start

End

Will the performance of a play take place indoors or outdoors or both?

- Indoors Outdoors Both

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

Provide further details here.

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.

outdoors finish at 23:00

State any seasonal variations for performing plays.

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 performance of a play at different times from those listed above, 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 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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End

SUNDAY

Start

End

Start

End

Will the exhibition of films take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select 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.

outdoors finish at 23:00

Continued from previous page...

State any seasonal variations for the exhibition of film.

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 exhibition of film at different times from those listed above, 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 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

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Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Outdoors finish at 23:00

State any seasonal variations for the performance of live music

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

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

Continued from previous page...

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

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Continued from previous page...

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

- Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Outdoors finish at 23:00

State any seasonal variations for playing recorded music.

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, 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 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

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Start

End

WEDNESDAY

Start

End

Start

End

Provide 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...

THURSDAY

Start 09:00

End 02:00

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FRIDAY

Start 09:00

End 02:00

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End

SATURDAY

Start 09:00

End 02:00

Start

End

SUNDAY

Start 09:00

End 02:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Outdoors finish at 23:00

State any seasonal variations for the performance of dance.

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 performance of dance at different times from those listed above, list below.

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

Section 11 of 18

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

[See guidance on regulated entertainment](#)

Page 53

Continued from previous page...

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Provide a description of the type of entertainment that will be provided.

amplified; speeches, lectures, the delivery of ghost nights and similar visitor based activities held in museums and cultural spaces.

Continued from previous page...

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select 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.

Outdoors finish at 23:00

State any seasonal variations for entertainment.

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 entertainment at different times from those listed above, list below.

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

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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Continued from previous page...

THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Start

End

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 select 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 provision of late night refreshment at different times from those listed above, 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...

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

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.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, 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 18

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.

Provide 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

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

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THURSDAY

Start

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End

Continued from previous page...

FRIDAY

Start 09:00

End 02:00

Start

End

SATURDAY

Start 09:00

End 02:00

Start

End

SUNDAY

Start 09:00

End 02:00

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 above, list below.

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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Continued from previous page...

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

For events where licensable activities will take place both indoors and outdoors, where tickets are sold to the general public, and where the anticipated attendance will be in excess of 500 persons, the following conditions will apply:

- a) An Event Management Plan shall be submitted to the Public Safety Advisory Group (PSAG) at least 4 months in advance of any event, and
 - b) The event shall be run in accordance with the Event Management Plan approved by the PSAG.
2. For all other events where a part, or parts of, the premises are used for licensable activities (other than events which are restricted to the hirer and his/her invited guests, for example weddings), the DPS shall risk assess the need for SIA registered door stewards and employ such number of stewards and at such times as determined by that risk assessment."

c) Public safety

d) The prevention of public nuisance

1. At all times a public or private event is held on the premises where there are performances of live and recorded music after midnight a noise management plan must be in place.
2. For events where licensable activities will take place both indoors and outdoors, where tickets are sold to the general public and where the anticipated attendance will be in excess of 500 persons, the following conditions will apply:-
 - i. A noise management plan must be submitted with the EMP at least 2 months in advance of any event to the Public Safety Advisory Group.
 - ii. A noise acoustic consultant must be employed to develop and manage the noise plan and liaise with Environmental Health.
3. All licensable activity in the outdoor areas, shall cease by 23.00.
4. Noise from regulated entertainment (in the form of live and recorded music) shall not be distinguishable from the ambient noise 10 meters or more from the premises boundary. This shall be assessed from the street, were possible. However, should a complaint from a resident in the area be made, steps shall be taken to ensure that noise breakout is reduced to a level agreed with the Local Authority and the residents.
5. There must be a "cooling down" period where music volume is reduced by a one third 30 minutes before the closing time of the premises.
6. All windows and external doors shall be kept closed between 11:00pm hours and 02:00am hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
7. Speakers shall not be located/operated in the entrance lobby or outside the premises, except for events covered under a noise management plan.

e) The protection of children from harm

Continued from previous page...

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

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.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Licensing Act 2003
Premises Licence

903

LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
c/o Town Hall
Castle Circus
Torquay
TQ1 3DR

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Torre Abbey

The Kings Drive, Torquay, Devon, TQ2 5JE.

Telephone 293593

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
			Outdoors finish at 23.00
B. Exhibition of films (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
			Outdoors finish at 23.00
E. Performance of live music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
			Outdoors finish at 23.00
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
			Outdoors finish at 23.00
G. Performance of dance (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
			Outdoors finish at 23.00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight
			Outdoors finish at 23.00
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Sunday	9:00am	11:30pm

Licensing Act 2003
Premises Licence

903

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	9:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Torbay Council Martin.Hoare@torbay.gov.uk	Torre Abbey, The Kings Drive, Torquay, Devon, TQ2 5JE. Telephone 07775 013418
--	--

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Joseph Leonard HARVEY	The Lodge, The Kings Drive, Torquay, Devon, TQ2 5JE. Telephone 01803 293593 or 01803 212763
-----------------------	--

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PA3131	Issued by Torbay
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Steve Cox
Environmental Health Manager
4 July 2016

ANNEXES

ANNEXE 1

MANDATORY CONDITION: WHERE LICENCE AUTHORISES SUPPLY OF ALCOHOL

- 1) No supply of alcohol may be made under the premises licence:-
 - (a) at a time where there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.
- 2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3) (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- 4) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- 5) (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 6) The responsible person must ensure that:-
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:-

ANNEXES continued ...

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2) For the purposes of the condition set out in paragraph 1

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula $P = D + (D \times V)$

Where:-

- (i) P is the permitted price
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence:-

- (i) The holder of the premises licence
- (ii) The designated premises supervisor (if any) in respect of such a licence, or
- (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

MANDATORY CONDITION: EXHIBITION OF FILMS

1) Where the film classification body is specified in the licence, admission of children must be restricted in accordance with any recommendation made by that body.

2) Where -

- (a) the film classification body is not specified in the licence, or
- (b) the relevant licensing authority has notified the holder of the licence that this condition applies to the film in question,

ANNEXES continued ...

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In the case of the aforementioned conditions

“children” means persons aged under 18; and

“film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (authority to determine suitability of video works for classification).

ANNEXE 2

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

Prevention of Crime and Disorder

1. There shall be a clear and legible notice at the premises indicating the normal hours under the terms of the premises licence during which licensable activities are permitted.
2. As far as is practical, that persons on or leaving the premises and using adjacent car parks and highways shall be reminded to conduct themselves in an orderly manner and do not in any way cause annoyance to residents or persons passing by.
3. CCTV shall cover both inside the Abbey and outdoors to enhance the safety of patrons and staff where deemed appropriate.
4. The provision of plastic bottles shall be provided depending on the type of entertainment provided, and the number and behaviour of patrons.
5. All drinking glasses in which drinks are served shall be made of plastic or toughened glass. Drinks, whether in drinking glasses or opened bottles, shall not be removed from the premises.
6. Regular glass and bottle collection shall be undertaken throughout the premises.
7. Patrons shall not be permitted to leave the premises with any glass or bottles which belong to the premises.
8. The emergency lighting shall at all times when the public are on the premises be maintained in working order and so kept in use (except in such parts as are for the time being adequately lit by daylight) that it is adequate to enable to public to see their way out of the premises and clear of the building.
9. No disorderly behaviour shall be tolerated.
10. The Hirer shall be responsible for the security of cash/monies taken at events.
11. Sufficient numbers of door staff/stewards who are suitably trained shall be provided on the premises, depending on the activities or entertainment taking place on site and the likelihood of overcrowding. Door staff shall need to be licensed with the Security Industry Association.
12. When on duty, every attendant shall wear a uniform and no person under the age of sixteen shall be employed as an attendant on the premises.

Public Safety

1. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by Statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The logbook shall be kept available and produced for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.
2. Adequate access must be provided for emergency vehicles at all times.
3. Where patrons wait in a queue for admission, all reasonable steps shall be taken to ensure that such persons do not obstruct exits, yards, passageways, stairways and ramps leading to the outside of the premises.

ANNEXES continued ...

4. All parts of the premises and all fittings and apparatus therein, door fastenings and notices and the seating, lighting, heating, electrical, ventilation, sanitary accommodation, washing facilities and other installations, shall be maintained at all times in good order and in a safe condition.
5. At least one qualified first aider shall be present on the premises during the whole time the premises are made available for regulated entertainment.
6. The date on which any staff have obtained first aid qualifications or received refresher training shall be recorded and kept within a logbook.
7. Persons shall not be allowed to stand, sit or otherwise remain in any gangway or exit.
8. All parts of the premises shall be adequately illuminated.
9. Staff shall be briefed on Fire Exits and evacuation procedure.
10. The exits in the premises shall be clearly indicated and maintained to afford the public ready and ample means of safe escape.
11. All exit doors shall be kept unlocked and available for exit during the whole time that the public are on the premises, provided that any person leaving during a performance or exhibition may be directed to certain exits at the discretion of the management.
12. Exit routes shall be maintained free from obstruction at all times, and in particular, no provision for hanging clothing or storing any article shall be made in corridors, passageways, gangways or exit ways.
13. Curtains shall not be hung across gangways, exit ways or over staircases. Where hung over doorways or across corridors, they shall draw easily from the centre and slide freely and shall be clear of the floor.
14. The Licensee shall take all possible steps to eliminate the danger of fire occurring and shall ensure that all members of staff, stewards and attendants are fully instructed in their duties in the event of fire.
15. Fire fighting equipment and a suitable approved alarm system shall be installed within the Premises and in such a way as shall be required by the Council and the Fire Officer. All such equipment shall be maintained in good and efficient working order and kept ready for use and regularly tested. Portable fire extinguishers should be discharged at regular intervals in accordance with Clause 10:2 of British Standard Code of Practice 5306: Part 3: 1980. Any backstage automatic sprinkler installations must be designed, installed and maintained in accordance with the latest requirements or the Fire Officers' Committee by a company entered on that Committee's Approved List of Installers Parts I, II or III. All tests shall be recorded in a log book to be produced as required by the Council.
16. Signage shall be available for spillages and wet floors.
17. No exterior decorations, flags, emblems or notices, shall be allowed except with special permission.
No person shall:-
 - i) bring, place or erect any furniture, fitting, erections, or structures, or
 - ii) place or fix any additional or decorative lighting or any decorations, shrubs, plants or similar things, or
 - iii) place, fix or exhibit any advertisement,in or upon any part of the premises without previous consent.

Any fittings or fixtures that may be permitted must be fixed under the direction of and to the satisfaction of the Head or Museums, or delegated member of staff. No nails, screws, pins, drawing pins or other means of fastening shall be attached, driven or screwed into the walls, floors, doors or other surfaces of the venue. Any decoration of the venue with flags electric lights and such like, in connection with dances or such like, must be carried out during times agreed with the Management.
18. The use of paper streamers, powder, confetti, rose leaves, rice and similar, must be prohibited. Biodegradable alternatives to confetti however, may be allowed. The use of powder, or any colouring substance, whether abrasive or otherwise, on the floors is prohibited.
19. All scenery, decorations and property used in any performance must be completely flame proofed and must comply fully with the Fire Prevention Regulations applicable to the premises.
20. Hazardous Materials - No person shall introduce any highly combustible materials or substances into the premises.

ANNEXES continued ...

The Prevention of Public Nuisance

1. Post event litter arrangements shall be in place.
2. Silent generators shall be used wherever possible.
3. Noise levels within the premises resulting from the operation of any musical instrument or amplified equipment shall be regulated so as to protect the hearing of any employee therein in accordance with current standards.
4. Patrons at events shall be asked to leave the premises quietly at the end of an event.
5. The premises shall remain open for half an hour after alcohol is served, during which time patrons shall be dispersed gradually.
6. Noise or vibration shall 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 11.00pm. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that shall be applied are:
 - i) Before 11pm - Noise emanating from the premises shall not be clearly distinguished above other noise.
 - ii) After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise.
7. All licensable activity in the outdoor areas, shall cease by 23.00.

The Protection of Children from Harm

1. During performances principally for child audiences, additional steps shall be provided to ensure the safety and well being of children present on the premises.
2. The premises shall adhere to Torbay Council's Child Protection Policy.
3. Suitable staff training and age identification scheme shall be in place and adhered to.
4. Signs provided, informing customers that under 18's shall not be served alcohol and that proof of identification and age shall be required.
5. Fire safety. Shall enquire that all chaperones and crew receive instruction on the fire procedures applicable to the premises prior to the arrival of any children.
6. Signage to explain that children shall not be admitted to film showings which are not suitable for their age group, and that adults should not purchase tickets on behalf of children. To be adhered to by the hirer.

ANNEXE 3

CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEXE 4

PLANS

Copy attached to Licence.

LOCAL AUTHORITY



Torbay Council
Licensing & Public Protection
c/o Town Hall
Castle Circus
Torquay
TQ1 3DR

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Torre Abbey

The Kings Drive, Torquay, Devon, TQ2 5JE.

Telephone 293593

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To	
A. Performance of a play (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight	Outdoors finish at 23.00
B. Exhibition of films (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight	Outdoors finish at 23.00
E. Performance of live music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight	Outdoors finish at 23.00
F. Playing of recorded music (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight	Outdoors finish at 23.00
G. Performance of dance (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight	Outdoors finish at 23.00
H. Entertainment of a similar description to that falling within E, F, or G (Indoors & Outdoors)	Monday to Sunday	9:00am	Midnight	Outdoors finish at 23.00
L. Late night refreshment (Indoors)	Monday to Sunday	11:00pm	Midnight	
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Sunday	9:00am	11:30pm	

Premises Licence Summary

903

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	9:00am	Midnight

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON the premises only

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Torbay Council
Torre Abbey, The Kings Drive, Torquay, Devon, TQ2 5JE.

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Joseph Leonard HARVEY

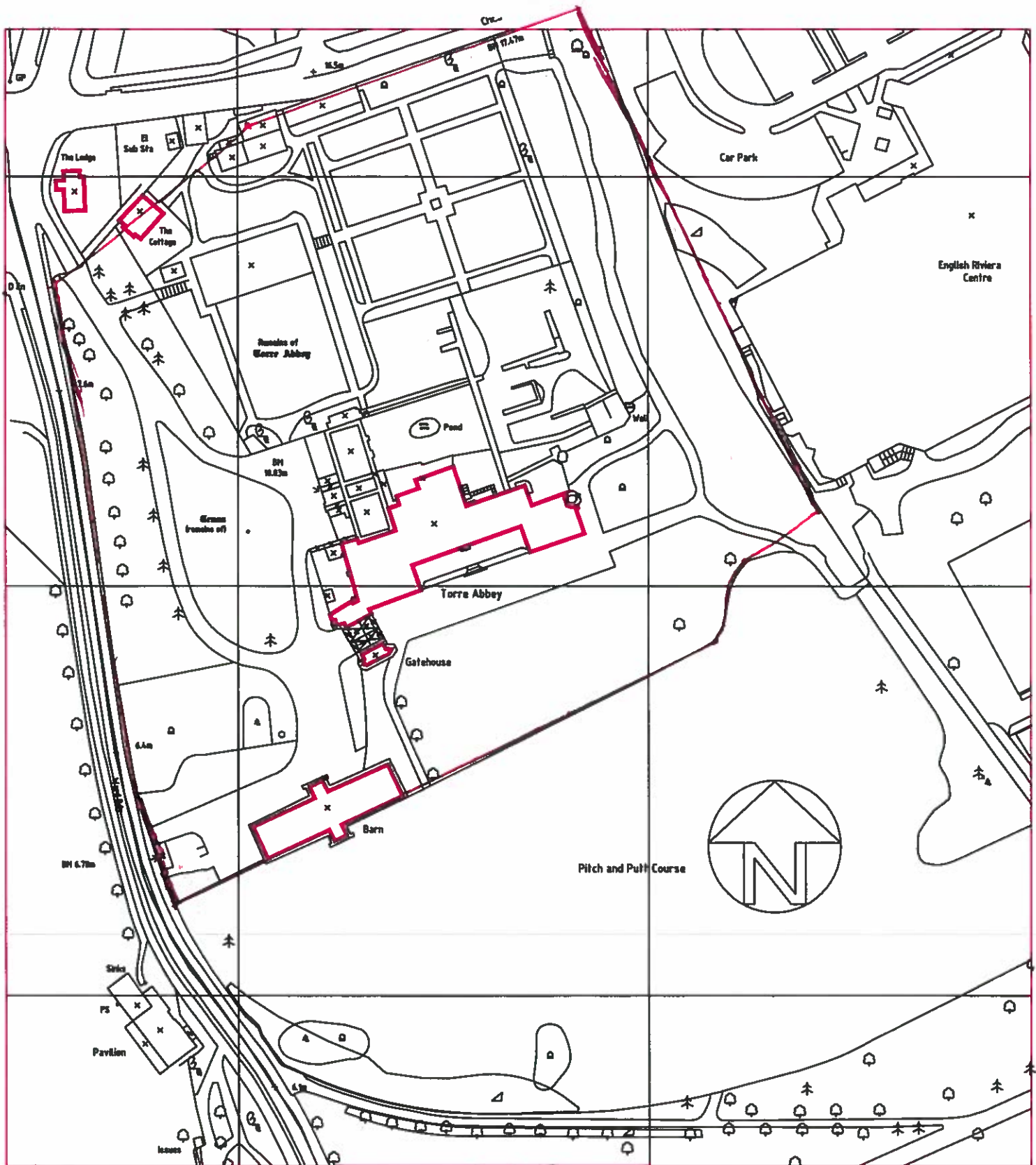
STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Access is restricted only under the terms of the Licensing Act 2003.



Steve Cox
Environmental Health Manager
4 July 2016





** All gardens and grounds to be licensed for all licensable activities*

DIRECTOR OF ENVIRONMENT SERVICES : PAUL LUCAS



HEAD OF TECHNICAL & PROPERTY SERVICES : MICHAEL YEO
ROEBUCK HOUSE, ABBEY RD., TORQUAY, TQ2 5TF.
Tel. 01803 201201 ; Fax. 01803 207854

no.	details
NOTES	
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no.	date
Revisions	

drawn	SMH	SCALES
date	27 08 03	1:1250
JOB No.	3574	DRAWING No. Revision
		AM 93

Licensing Team
Torbay Council
C/O Torquay Town Hall
Castle Circus
TORQUAY
TQ1 3DR

Licensing Department East
Devon and Cornwall Constabulary
Force Headquarters
EXETER
EX2 7HQ

Telephone: 01803 218400

19 March 2018

Dear Sir/Madam

Torre Abbey, Kings Drive, Torquay, TQ2 5JE

I refer to an application for the variation of Premises Licence number PL0903 in respect of the above named premises, submitted by Mr Joseph Harvey, on behalf of the applicants, Torbay Council.

This application seeks to add off sales of alcohol to the licence, and to vary the terminal hour for the sale of alcohol from 2330 hrs daily to 0130 hrs daily, with the premises closing at 0200 hrs.

My Police Licensing Officer, Mrs Julie Smart, was contacted by Mr Harvey concerning this proposed variation in August 2018. At that time Torbay Council were seeking to add off sales and vary the sale of alcohol until 0100 hrs daily. Mrs Smart advised Mr Harvey that the police would agree to this variation and she recommended the following:

To add the below conditions to the licence:

1. *All alcohol sold for consumption off the premises, shall be supplied in sealed containers.*
2. *For events where licensable activities will take place both indoors and outdoors, where tickets are sold to the general public, and where the anticipated attendance will be in excess of 500 persons, the following conditions will apply:*
 - a) *An Event Management Plan shall be submitted to the Public Safety Advisory*

- Group (PSAG) at least 4 months in advance of any event, and*
- b) The event shall be run in accordance with the Event Management Plan approved by the PSAG.*
- 3. For all other events where a part, or parts of, the premises are used for licensable activities (other than events which are restricted to the hirer and his/her invited guests, for example weddings), the DPS shall risk assess the need for SIA registered door stewards and employ such number of stewards and at such times as determined by that risk assessment."*

Condition 5, The Prevention of Crime and Disorder:

Remove "All drinking glasses in which drinks are served shall be made of plastic or toughened glass. Drinks, whether in drinking glasses or opened bottles, shall not be removed from the premises" and replace with "All drinking glasses in which drinks are served shall be made of plastic or toughened glass. No drinks shall be removed from the premises, unless they are in sealed containers and sold for consumption off the premises".

Condition 5, Public Safety

The condition on the licence states "At least one qualified first aider shall be present on the premises during the whole time the premises are made available for regulated entertainment". Mrs Smart recommended that this condition be removed or amended dependant on whether the Council ensures that a first aider is present at events such as weddings.

Protection of Children from Harm

Add – "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 as outlined with the Torbay Council's Licensing Statement of Principles".

A copy of Mrs Smart's email to Mr Harvey regarding the above is attached for your information.

In November 2017 Mrs Smart was again contacted by Mr Harvey, who then requested that the premises be allowed to sell alcohol until 0130 hrs daily. Mrs Smart advised Mr Harvey that the police would agree to the further variation of hours and she assumed that her previous recommendations would be taken on board.

Mrs Smart has now had the opportunity to study the submitted application and has identified that whilst conditions 2 and 3 above have been included in the application, the other recommendations she made do not appear to have been considered.

In relation to condition 5 under the heading The Prevention of Crime and Disorder. Mrs Smart suggested that this condition was amended as the second part of this sentence only refers to drinking glasses and open bottles and does not consider the sale of cans, which should also only be supplied in sealed containers for off sales. The police therefore request that the Licensing Authority impose the recommended condition numbered 1 above, and amend the existing licence condition as suggested.

In respect of condition 5 under the heading "Public Safety" concerning a qualified first aider being present on the premises at all times the premises are available for regulated entertainment, the police do not know whether this condition is being complied with at certain events, such as weddings, but we note that the applicant has not sought to remove this condition within the application.

In respect of the above suggested Challenge 25, this has not been included within the application.

In addition, I can advise you that on 12 March 2018 Mrs Smart requested Mr Harvey to forward her a copy of Torbay Council's Child Protection Policy, as referred to in condition 2 on the current licence, to enable her to fully consider this application. Mrs Smart requested that she receive a copy of this document by no later than Monday 19 March 2018, ie the last day of the consultation period.

However, towards the end of the week commencing Monday 12 March 2018, as Mrs Smart had not received any communication from Mr Harvey, she discussed the matter with Mrs Mandy Guy, Senior Licensing Enforcement Officer of Torbay Council. Mrs Guy told Mrs Smart that she had requested a copy of this policy from Mr Phil Black, Events Manager of Torbay Council. Mr Black told Mrs Guy that he had requested this document from Mr Harvey on several occasions but Mr Harvey had not produced it.

At 1733 hrs on Friday 16 March 2018 Mrs Smart received the attached email from Mr Harvey in relation to her request for this document, in which he states "I wanted Phil to advise on an update to the policy, it will be with you shortly. Thank you for your patience".

As this application does not include any additional conditions in relation to the Protection of Children from Harm it appears that the applicants do not consider that selling alcohol from this premises for an additional 2 hours will have any negative impact on the safety of children or young persons under the age of 18. The police therefore request that the following conditions are also imposed on the licence:

1. No under 18's shall be permitted in the premises or within the licensed area after 11.00 pm.
2. All children under the age of 16 shall be accompanied by a responsible adult.

3. The premises shall operate a Challenge 25 Policy and any individual who appears under the age of 25 will be required to produce an approved form of photographic identification as outlined within the Torbay Council's Licensing Statement of Principles.

The police request these conditions as the Torbay Council Licensing Statement of Principles 2016-2022 recommends that applicants have a Challenge 25 Policy and that they consider imposing an age limit on attendance. Furthermore the mandatory condition on the licence requires the premises to have an age verification policy.

For your information, all licensed premises within Torbay that sell alcohol after midnight, are prohibited from allowing under 18's into their premises after a specified time, usually around 2200 hrs. The police consider that this sends out a clear message that underage drinking will not be tolerated and by excluding this age group it makes the supervision of licensed premises much easier.

Should you require any further information, please do not hesitate to contact Julie Smart on 01803 218900.

Yours faithfully



Superintendent M Lawler
Head of Alliance Prevention Department

Guy, Mandy

From: SMART Julie 50403 <Julie.SMART@devonandcornwall.pnn.police.uk>
Sent: 16 August 2017 14:53
To: Harvey, Joseph
Cc: Black, Phil
Subject: RE: Torre Abbey licence variation

Joseph

I have now had time to consider your proposed variation to the Torre Abbey licence and I would recommend the following:

1. In relation to the provision of OFF sales of alcohol. The police would have no objection to this, within the times indicated below, but we would ask that you include the following condition. *"All alcohol sold for consumption off the premises, shall be supplied in sealed containers"*.
2. In relation to the variation to allow all licensable activities indoors to continue until 1.00 am, the police will support this but we would ask you to include the following conditions:
"1. For events where licensable activities will take place both indoors and outdoors, where tickets are sold to the general public, and where the anticipated attendance will be in excess of 500 persons, the following conditions will apply:
 - a) *An Event Management Plan shall be submitted to the Public Safety Advisory Group (PSAG) at least 4 months in advance of any event, and*
 - b) *The event shall be run in accordance with the Event Management Plan approved by the PSAG.**2. For all other events where a part, or parts of, the premises are used for licensable activities (other than events which are restricted to the hirer and his/her invited guests, for example weddings), the DPS shall risk assess the need for SIA registered door stewards and employ such number of stewards and at such times as determined by that risk assessment."*

The police would ask you to include these conditions to ensure that events that may impact on the licensing objectives are considered by PSAG (ie Grinagog), whilst other events can be managed by the premises following risk assessment by the DPS. We accept that weddings do not generally cause any concern and hence I have tried to word the conditions so that these are not affected by the above conditions. If you are able to come up with a suitable alternative condition that you think is easier to understand or better reflects the way you intend to use the premises in the future, we will of course be happy to give this matter further consideration.

Having read through your licence I would also suggest the following amendments:

The Prevention of Crime and Disorder:

Condition 5 – "All drinking glasses in which drinks are served shall be made of plastic or toughened glass. Drinks, whether in drinking glasses or opened bottles, shall not be removed from the premises". I suggest this is amended to read "All drinking glasses in which drinks are served shall be made of plastic or toughened glass. No drinks shall be removed from the premises, unless they are in sealed containers and sold for consumption off the premises".

Public Safety

Condition 5 – "At least one qualified first aider shall be present on the premises during the whole time the premises are made available for regulated entertainment". Is this being complied with? is there a first aider at all weddings? If not, remove the condition or amend it to reflect when you anticipate having first aiders present.

Protection of Children from Harm

Add – “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 as outlined with the Torbay Council’s Licensing Statement of Principles”.

One thing I did notice whilst reading through the existing licence is that films can only be shown outdoors until 2300 hrs. I note that between 17 and 27 August 2017 you are intending to hold an outdoor cinema showing a number of films and that the start time for all films is 2100 hrs. I would strongly advise you to check the length of the films you are showing as I believe that Sofia Coppola’s La Traviata is between 2 ½ and 3 hrs long depending what website you look on. I think a couple of the other films may also be just over 2 hrs long. I also recommend that you allow an additional period of time in case you experience any technical difficulties. As the first film is being shown tomorrow night, I don’t know how you can get the message out to all prospective customers, but I think you are going to need to start the film well before 2100 hrs in order to comply with the requirements of the licence. I would take this opportunity to remind you that failure to comply with the terms of a Premises Licence constitutes an offence under Section 136 of the Licensing Act 2003 and a person found guilty of such an offence is liable to an unlimited fine, 6 months imprisonment, or to both. Hopefully you will appreciate the seriousness of this matter, and take action to ensure that the films finish just before 2300 hrs.

If you want to discuss any of the above further, please give me a ring, or I am happy to meet with you if you prefer.

Regards

Julie

From: Harvey, Joseph [mailto:Joseph.Harvey@torbay.gov.uk]
Sent: 14 August 2017 13:12
To: SMART Julie 50403 <Julie.SMART@devonandcornwall.pnn.police.uk>
Subject: RE: Torre Abbey licence variation

Hello Julie,

Thank you for coming back to me and for giving this your time, Karl Martin and Lisa Jennings have both noted the outdated conditions and control measures currently in the licence, I am away for a couple of weeks so there is no rush.

Kind regards,

Joseph Harvey
Operations & Collections manager

Torre Abbey Historic House and Galleries
The Kings Drive,
Torquay,
TQ2 5JE

Joseph.Harvey@Torbay.gov.uk
07825365215
01803293593

Face

From Paint to Pixels
Contemporary Artists Su
A select exhibition curated from the



Sustaining and transforming our heritage



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From: SMART Julie 50403 [<mailto:Julie.SMART@devonandcornwall.pnn.police.uk>]
Sent: 11 August 2017 12:03
To: Harvey, Joseph
Subject: RE: Torre Abbey licence variation

Hello Joseph

Sorry I haven't got back to you sooner. I'll have a look at the licence next week and see if there is anything else that could do with changing. I don't think the addition of off sales will be a problem but I'll have to come up with some suitable conditions about when door stewards will be required if you want to extend all the licensable activities until 1.00 am.

I'll get back to you as soon as I can next week.

Regards

Julie

From: Harvey, Joseph [<mailto:Joseph.Harvey@torbay.gov.uk>]
Sent: 08 August 2017 10:29
To: SMART Julie 50403 <Julie.SMART@devonandcornwall.pnn.police.uk>
Subject: Torre Abbey licence variation

Hello Julie,

I would like to seek your advice and guidance prior to submitting a requested full variation to our licence.

Torre Abbey is wishing to submit a licence variation to accommodate 2 changes;
-adding the sale by retail of alcohol to be consumed off the premises, likely to the time frame of 09:00 – 20:00
In line with the practise of similar businesses locally and nationally we wish to offer our visitors an opportunity to purchase high end locally sourced alcoholic beverages as gifts and memento's.
-alter the time to to 01:00 for all 'indoors' licensable activities currently on our premises licence

We continue to have a number of TENS for private functions (weddings mainly) and wish to be able to control this under our licence as we look to manage bars with a regular trusted contractor through a tender or internally. We have identified this as a possibility now Karl Martin has greater confidence in the spaces (particularly the Spanish barn) to not cause public nuisance. Most notable from the number of large weddings last year (30+), and Grinagog, not having noise complaints related to the use of the Spanish barn.

Would you have any concerns or recommendations?

Kind regards,

Joseph Harvey
Operations & Collections manager

Torre Abbey Historic House and Galleries
The Kings Drive,
Torquay,
TQ2 5JE

Joseph.Harvey@Torbay.gov.uk
07825365215
01803293593

The poster features the text 'Torre Abbey Museum' in the top left, 'Face' in large stylized letters in the center, and 'From Point to Pixels Contemporary Artists' below it. It also includes social media icons for Facebook, Twitter, and Instagram, and logos for the Heritage Lottery Fund and Torbay Council.

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Guy, Mandy

From: Harvey, Joseph <Joseph.Harvey@torbay.gov.uk>
Sent: 16 March 2018 17:33
To: SMART Julie 50403
Subject: RE: VARIATION TO TORRE ABBEY LICENCE

Hello Julie,
I wanted Phil to advise on an update to the policy, it will be with you shortly. Thank you for your patience.

Kind regards,

Joseph Harvey
Operations & Collections manager
Torre Abbey Historic House and Galleries
The Kings Drive,
Torquay,
TQ2 5JE

Joseph.Harvey@Torbay.gov.uk
07825365215
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From: SMART Julie 50403 [mailto:Julie.SMART@devonandcornwall.pnn.police.uk]
Sent: 12 March 2018 13:05
To: Harvey, Joseph <Joseph.Harvey@torbay.gov.uk>
Subject: VARIATION TO TORRE ABBEY LICENCE

Good afternoon Joseph

I'm currently looking at the variation application you have submitted for Torre Abbey.

On looking at the existing licence I note that there is a condition which says "The premises shall adhere to Torbay Council's Child Protection Policy". Please can you send me a copy of that policy as soon as possible as I need to respond to your application by no later than 19 March 2018.

Thanks

Julie Smart
Police Licensing Officer – Torbay
01803 218900
07921 933974

How to contact the police – ClickB4UCall

Includes: online crime reporting, 101 email, help from other organisations, community messaging, British Sign Language videos, third party reporting, Police Enquiry Offices

In an emergency always call 999

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For more information, or to contact us, please visit us at www.devon-cornwall.police.uk or www.dorset.police.uk or e-mail 101@devonandcornwall.pnn.police.uk or 101@dorset.pnn.police.uk

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Memorandum

To: Licensing Team	From :	Safeguarding and Reviewing Service
c.c	Contact :	Faye McNiven
c.c.	Ext :	208687
c.c	My Ref :	FM
For the attention of: Licensing	Your Ref :	
	Date :	22.2.2018

**Subject: Application for Variation to Premises Licence–
Licensing Act 2003**

Premises Name: TORRE ABBEY
Address: KINGS DRIVE, TORQUAY

- 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 nuisance

because:- (please list those aspects of the application or variation that give you reason for concern and why you have these concerns).

The application seeks to extend the licensing and opening hours and the original licence does not include a Challenge 25 policy. Therefore the following conditions need to be added in respect of objective ii – “protection of children from harm”:

1. No under 18’s shall be permitted in the premises or within the licensed area after 11.00 pm.
2. All children under the age of 16 shall be accompanied by a responsible adult*. (*This should always apply where events are being held, which involve the sale of alcohol).
3. The premises shall operate a Challenge 25 Policy and any individual who appears under the age of 25 will be required to produce an approved form of photographic identification as outlined within the Torbay Council’s Licensing Statement of Principles.

FH McNiven

Signed:
Date: 12/03/18