



LICENSING ACT 2003

APPLICATION FOR THE REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

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Completed forms should be returned to:

**Environmental Health Manager (Commercial)
Torbay Council
Community Safety
C/O Torquay Town Hall
Castle Circus
Torquay
TQ1 3DR**

Contact Details:

Tel: 01803 208025

Web: www.torbay.gov.uk

Email: licensing@torbay.gov.uk

**Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.

I Julie Smart, Licensing Officer, Torbay Council

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

The Devon Dumpling
108 Shiphay Lane

Post town Torquay

Post code (if known) TQ2 7BY

Name of premises licence holder or club holding club premises certificate (if known)

Mr Raymond Lyon and Mr Matthew Ashley Lyon

Number of premises licence or club premises certificate (if known)

PL0460

Part 2 - Applicant details

I am

Please tick ✓ yes

- 1) an individual, body or business which is not a responsible authority
(please read guidance note 1, and complete [A] or [B] below)
- 2) a responsible authority (please complete [C] below)
- 3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Julie Smart – Licensing Officer Torbay Council Town Hall Torquay
Telephone number (if any) 07442 680389
E-mail address (optional) Julie.smart@torbay.gov.uk

This application to review relates to the following licensing objective(s)

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 2)

- 1. The Premises Licence Holders have committed offences under Section 136 of the Licensing Act 2003, in respect of non-compliance with conditions contained within the Premises Licence.
- 2. The Premises Licence Holders have failed to make their designated smoking area compliant with the smoke free regulations, and to submit applications to vary the DPS and a Minor Variation to amend the approved plan of the premises at the request of the Licensing Authority.
- 3. Concerns that the DPS, Mr Raymond Lyon, does not appear to have day to day responsibility for the premises.

Please provide as much information as possible to support the application (please read guidance note 3)

On 1 March 2024 I accompanied Mr Tom West, Public Protection Officer of Torbay Council, on a visit to the premises as Mr West wished to discuss some noise complaints with the premises management. Whilst stood in the rear beer garden I noticed that work was being undertaken to erect a new wooden structure. The manager informed me that they intended on installing a bar and putting up a TV within this structure to show the European Qualifier football matches on Good Friday. On checking the approved plan, I informed the manager, who is not the DPS or Premises Licence Holder, that a variation application would be required to update the plan, but that I would discuss this matter with my manager to establish if a minor variation or full variation will be required, due to noise complaints having been received in respect of the use of the garden area.

Whilst in the garden, I also viewed an area known as the cage. A condition on the premises licence under the heading Conditions attached after a Review Hearing by the Licensing Authority (number 13) states "After 10pm patrons wishing to smoke, must use the designated smoking area, known as the cage".

I immediately noticed that the cage has a roof and the walls make up more than 50% of the wall area. This area does not meet the requirements of the Health Act 2006 and The Smoke-Free (Premises and Enforcement) Regulations 2006 to be used as a smoking area. I informed the manager that the cage is not compliant with the smoke free regulations and therefore cannot be used for smoking. I advised that the easiest way to make the area compliant is to remove the roof, but if they do not want to do this, they would need to submit a variation to remove the condition requiring the cage to be used as a designated smoking area and identify a suitable alternative area. I suggested that it may be best to discuss this matter with Mr West and the residents who were involved in the previous review of the premises licence, to ensure they are satisfied that the use of any proposed area will not impact on public nuisance.

On 8 March 2024, Mr West sent the manager an email advising that they need to submit a variation with amended to plan to show the new outside bar, that this could be done by way of minor variation, but if an objection was received, the application would be rejected so they would lose their application fee, or they could submit a full variation. Mr West also advised them that removing the roof from the cage would make the area compliant with the smoke-free requirements, and he sent them a document which contains a method for calculating whether a structure meets the smoke free requirements. A copy of this email and the Quick Guide to Smoke Free Spaces is attached.

On 4 July 2024, as no variation application was received in respect of this premises, myself and Mr West again visited the premises, where we met with Mr Matthew Lyon (PLH) and his manager. In respect of the cage area, I was disappointed to see that no action had been taken to make the area compliant with the smoke free requirements. I spoke to Mr Matthew Lyon about this, and he said that he had previously been told that the area is compliant with the requirements. I explained that as the area has a roof and only one partially open side it does not meet the requirement of being at least 50% open. I also discussed the need for a variation of plan to show the new wooden structure within the licensed area, and I advised him to show the canopy and fixed seating on the upper garden level within the plan.

We discussed some of the conditions contained within the premises licence. Mr Matthew Lyon said that they had not complied, and could not comply, with the condition that customers have to be seated within the outside area as this means he would need staff outside at all times. I advised that they could request the removal of this condition within the same variation application required to amend the plan, but they would have to propose a suitable alternative to alleviate any concerns the residents may have, and that I would discuss this with my manager. Mr West then discussed 3 noise complaints he had received with Mr Matthew Lyon and his manager.

On 12 July 2024 I sent an email to Mr Matthew Lyon advising him that the cage is not compliant with the smoke free requirements, that he should ensure the area is not used for smoking and puts up appropriate signage to that effect. I advised him that the area could easily be made compliant with the

requirements by removing the roof and I sent him a copy of our information document "A quick guide to smoke free spaces", which he said he had not seen. I advised him that if he did not wish to remove the roof, he would need to apply for a variation to remove all conditions referring to the cage as the smoking area and add suitable alternative conditions.

I further advised him that as smokers are required to use the designated smoking area, which is not smoking compliant, but there have been noise complaints in respect of customers outside the front of his premises, this leaves a problem of where customer should smoke until this matter is resolved. I suggested that his customers temporarily use the patio next to the cage, but indicated that we would only allow this for a limited period. I requested that he deals with this as a matter of urgency, and keep me updated about the matter.

In respect of the condition that requires all customers in outside areas to be seated, I advised him that I had discussed this with my manager, and, if he wished to remove this condition, he would need to propose an alternative condition which restricts the number of customers outside. I recommended that he discussed this with Mr West, who could then liaise with the complainants. I further advised Mr Matthew Lyon that if he does not remove this condition, he will need to comply with it. I advised Mr Lyon of the offence under Section 136 of the Licensing Act and the penalty should a person be convicted of such an offence.

I also reminded Mr Matthew Lyon that a variation of the plan is required to show the structure within the garden area.

I requested delivery and read receipts for this email and subsequently received an email confirming my email had been delivered to Mr Matthew Lyon's personal email address. A copy of this email and the delivery confirmation is attached.

On 25 July 2024, as I had not received any contact from Mr Matthew Lyon in response to my email of 12 July 2024, I located an email address for the premises. I forwarded my email of 12 July 2024 to the premises email address, advising Mr Matthew Lyon that I had not received a read receipt in respect of my email of 12 July 2024, and that my email requires his immediate attention. A copy of this email and the delivery confirmation email is attached.

Later that day, I received a telephone call from the manager of the premises, who said that he had seen my email and forwarded it to Mr Matthew Lyon. We discussed the content of my email. The manager said that he was concerned that taking the roof off the smoking area would lead to more noise complaints. I told him that I had discussed that with my manager, who does not think that the roof keeps much sound in, but ultimately it comes down to how they manage customers, by telling them to be quiet if appropriate. He said that if they move smokers somewhere else that could cause noise complaints so he thought they should be allowed to smoke in the cage with the roof on, but I told him that we cannot allow that as we know the smoking area is not compliant with the requirements.

The manager also wanted to know why they need to consider a condition setting a limit on the number of people outside and I explained that the committee may have put the condition on the licence to limit the number of people out there. He said that he thinks it is crazy to limit the number of people in a beer garden, but I told him we have many premises which have limits on the numbers of customers in outside areas, particularly later at night. He asked to speak to my manager, and I told him that she is on leave, and that I would ask Mr West to contact him instead. I then sent an email to Mr West asking him to ring the manager to discuss the matters he raised.

On 18 September 2024 I met with my manager, Mrs Hind, and Mr West to discuss this premises as I had not received any response to my emails from Mr Matthew Lyon, he had not contacted me by phone, nor had a variation application been submitted. Mr West said that he had sent an email to Mr Matthew Lyon the day before and was waiting for a response. Mrs Hind advised that if no communication or variation application was received by end of the following week, we should write to the Premises Licence Holder advising him of the offence being committed, ie providing licensable activities not in accordance with an authorisation in respect of the approved plan, the date by which the variation application must be received, and if this is not forthcoming we will have no alternative but to

take formal action.

On 2 October 2024, Mr West wrote to Mr Matthew Lyon in respect of a noise complaint he had received and the need for a variation to be submitted by no later than 18 October 2024, or we would have no option but to seek a prosecution or apply for a review of the licence. A copy of this letter is attached.

On 11 October 2024, I was reading through the Premises Licence when I noticed that the licence is held jointly by Mr Raymond Lyon and Mr Matthew Lyon, with Mr Raymond Lyon also being the DPS. As Mr Raymond Lyon had not been present at any of our visits to the premises, or copied into any communications, I wrote to Mr Raymond Lyon, explaining the issues in respect of the cage and the structure within the garden. I also sent him a copy of my emails to Mr Matthew Lyon dated 12 and 25 July 2024, and Mr West's letter of 2 October 2024. I apologised to Mr Raymond Lyon that he had not been copied into our correspondence with Mr Matthew Lyon, and advised him that I would give him the opportunity to address the matters I raised. I therefore extended the deadline for receipt of a variation application to 25 October 2024. A copy of my letter to Mr Raymond Lyon is attached. To date I have not received any contact from Mr Raymond Lyon in respect of this letter.

On 11 October 2024, I also wrote a letter to Mr Matthew Lyon, sending him a copy of my letter to Mr Raymond Lyon and my emails dated 12 and 25 July 2024. I informed him that the deadline for receipt of a variation application had been extended to 25 October 2024, and advised him that should an application not be received, I will commence enforcement action in the form of a prosecution or review of the licence. A copy of my letter to Mr Matthew Lyon is attached. To date I have not received any contact from Mr Matthew Lyon in respect of this letter.

On 16 October 2024, Mr West emailed Mr Matthew Lyon advising him of a further noise complaint, the need for a variation, and advising that due to on-going complaints we would like to meet with him and Mr Raymond Lyon on Tuesday 22 October 2024. Mr West and I subsequently received an email from Mr Matthew Lyon indicating that his father, Mr Raymond Lyon, could not attend a meeting, and that he (Mr Matthew Lyon) wished to be nominated as DPS. Mr Matthew Lyon advised that Tuesday 22 October 2024 was convenient to him and a suitable time for our meeting was arranged. A copy of this email is attached.

On 22 October 2024, Mr West and I again attended the Devon Dumpling, where we met with Mr Matthew Lyon and his manager. I took Transfer and Vary DPS applications with me for completion as appropriate.

After returning from this meeting, I updated the IT record with the following notes:

"1130 hrs 22/10/24 - Attended with Tom, and met with Matt and the manager. Tom explained that he has received more noise complaints, all about customers out the front, and he played them the recordings. Matt said that they had stopped customers smoking out the back due to the non-compliant smoking area.

Tom asked to see their noise monitoring logs and they produced a diary containing some entries. Tom checked the entries for each date that he had received a recording. One was a 21st Birthday party when the manager was away, and the staff did not expect this group to attend.

The manager said that he is aware that the complainant is called X and he met with her for 1 1/2 hrs on Sunday to discuss the noise issues, and has explained that this was caused by moving smokers to the front.

I asked if they have provided a telephone number for the resident to contact them if she is being disturbed. The manager has given her his mobile and she will ring him if there is a problem, but on the day of the 21st birthday she knew he was away so didn't want to disturb him.

Tom and I both stressed that the premises need to do their best to prevent noise nuisance in the first place, and then react swiftly and positively if they are contacted by a resident who is experiencing issues.

I asked to see the logs and noted that for some days there was just a one or two line entry, similar to "Checked outside, no noise heard". I advised that a log should contain more detail, ie every 30 mins, with the time stated, a comment about what was witnessed, what action was taken, and signed by the individual carrying out the check. Explained that it would be best to have an individual sheet for each

day. I have forwarded a log I created for another premises to Tom and he will forward to Matt. Discussed that they need to get smokers into the rear garden to alleviate noise at the front. Matt said he will take part of the cage roof off, and I advised the area has to be at least 50% open. Later went and saw this area. I advised I think they need to take at least 50% of the roof off. Matt initially indicated that he only wished to remove a couple of panels, each just over a foot wide, but then said that he thinks the end wall is about 8ft high so would remove 8ft, which he paced out. I advised Matt that he had been sent an advice document which has drawings showing how to work out whether the area meets the 50% requirement, but Matt stated he hasn't seen that. Asked Matt to confirm what email address is best to contact him on. He said that he doesn't check the pubs email as that is mainly for bookings, and he advised us to contact him on his personal email. Tom and I said that we do not have experience or detailed knowledge about smoking areas, as that not our responsibility. Discussed condition that customers outside have to be seated. Matt said that this condition is difficult to comply with (different to what he said before that they hadn't been complying with this at all). Matt said they would keep this condition and comply with it, due mainly to it being winter when the garden won't be used much, and if they want to remove it, they can consider a variation for that next year.

Discussed structure that needs to be included on plan.

Discussed that if they want to remove the seated condition a full variation will be required due to us being aware of noise complaints and potential impact on licensing objectives. Matt asked if they could do a minor variation, and I advised that if they make the cage smoking compliant and comply with the seated condition they can amend the plan by way of a minor variation.

When I have accepted the minor variation they will put a Facebook post up explaining that nothing will change at the premises, but it is just to update the plan.

Tom and I explained that if any further complaints are received, Tom would need to apply for a review, and that, as they have already been subject of a review with the same complaints being received, there is a risk that the licence could be revoked.

Discussed Raymond Lyon being PLH and DPS. Matt said he wants to be DPS, so I completed application and consent form, which Matt signed.

Matt said that Ray still attends premises and is joint owner so will want to stay on licence, and I advised that we have a duty to make sure he is aware of our dealings with the premises.

Advised Matt that I will prepare a minor variation, which I will send to him for checking, together with a copy of the plan, on which he needs to draw the structure and then return to me. Admin will then ring him to take payment of the vary DPS and minor variation fees.

Tom ran through the measures that the premises will put in place to promote the public nuisance objective, which Matt agreed with. Tom advised me he will email Matt separately about this."

I subsequently prepared a minor variation application form which I forwarded to Mr Matthew Lyon on 22 October 2024. I also sent him a copy of the plan which forms part of the premises licence, and a Vary DPS application, with instructions as to what action he and Mr Raymond Lyon needed to take. I also attached another copy of the Quick Guide to Smoke-Free Spaces. I asked Mr Matthew Lyon to send me the measurements of the cage, and his calculations to determine the area of roof which needs to be removed, which I would forward to another member of staff for consideration. A copy of this email is attached. To date no response has been received in respect of this email.

On 23 October 2024, I emailed Mr Matthew Lyon asking him to advise me if his father, Mr Raymond Lyon, has an email address that we can use to send him copies of all correspondence. To date I have not received a response to this email. A copy of this email and a delivery confirmation email are attached.

On 31 October 2024, Mr West and I discussed this premises. Mr West confirmed that he had not received any noise complaints since our last visit. I advised Mr West that the Vary DPS and Minor Variation applications had not been signed and returned, I had not received Mr Matthew Lyon's calculations in respect of making the cage smoking compliant, nor had he provided an email address for Mr Raymond Lyon. We discussed whether we should apply for a review or give the Premises Licence Holders another week to submit their applications.

I advised Mr West that I had not written to Mr Raymond Lyon about the Minor Variation or Vary DPS applications since our visit, as I had hoped that Mr Matthew Lyon would arrange for the forms to be

signed and returned to me, thus alleviating the need for me to write to Mr Raymond Lyon. Mr West informed me that he had written to Mr Raymond Lyon on 2 October 2024, in which he had advised him that I was still waiting for a minor variation application to be submitted (a copy of this letter is attached). Mr West and I agreed that as no more noise complaints had been received, I would write to both Mr Raymond Lyon and Mr Matthew Lyon explaining that despite me completing the forms and sending them to both of them by email and post, I had not received the signed forms.

Later that day I sent letters to both Mr Raymond Lyon and Mr Matthew Lyon, extending the deadline for receipt of the minor variation application to 8 November 2024. I sent each of them copies of the minor variation and vary DPS applications for signature, together with copies of the plan and the guide to smoke free spaces. Copies of these letters are attached. To date no response has been received in respect of these letters.

On 5 November 2024, my manager, Mrs Hind, requested that members of the Licensing Team conduct out of hours visits to premises where we have identified concerns, to coincide with a police operation involving licensed premises planned for Friday 29 November and Saturday 30 November 2024. A colleague and I agreed that we would carry out a visit to the Devon Dumpling on Friday 29 November 2024, and made the necessary arrangements.

On 28 November 2024 Mr West forwarded me an email he had received from Mr Matthew Lyon on 27 November 2024, in which Mr Lyon advises Mr West that he is waiting for a contractor to confirm the roof area that needs to be removed from the cage, and that as soon as they have done that, he will sort the licence out. A copy of this email is attached.

At 2200 hrs on Friday 29 November 2024 my colleague and I attended the Devon Dumpling as arranged.

On approaching the premises we could see a female singer positioned immediately inside a window at the front of the premises, to the right of the front door. I noticed that the front double doors of the premises were wide open, but the inner doors were closed; thus the premises has a lobby, but this was not being utilised. I took a photograph of the front doors (photo 1 – taken at 2202 hrs). I also noted that a first floor window to the left of the building was open. This window is situated within the licensed area as shown on page 1 of the plan. The singer then started singing “Happy Birthday”, with some of the customers joining in. This was clearly audible outside the front of the premises and distinguishable above other noise in the area.

My colleague and I then crossed the road and stood next to the boundary of a residential premises, to assess the volume of noise from the Devon Dumpling at that location. The singer started singing a Christmas song, which was again clearly audible and distinguishable above other noise at our location, as apart from an occasional car passing, there was no other noise in the area. I recorded a video showing the front of the premises and the volume of music (video 1 – commences at 2204 hrs). I subsequently took a screenshot from this video, which shows the front doors and the first floor window open (photo 2).

Whilst assessing the volume of music at the boundary of the residential property, I noted that all residential premises in the area had their windows closed, due to the wet weather. I commented to my colleague that I considered it unlikely that residents could hear the music within their properties, however, had it been a warm, dry night, and residents had their windows open for ventilation, I considered that they would be able to hear the singing and music from the Devon Dumpling within their properties.

My colleague and I then entered the premises and went directly to the rear garden area. On looking into the area known as the cage, I noted that this contained many customers who were sat down drinking and smoking. I further noted that the roof of this area had not been reduced or removed to meet the smoke free requirements. I got out my phone to take a photo of this, however was unable to do so as a female member of staff immediately came out of the premises, went into the cage and said words to the effect of “You are not allowed to smoke in here”. She asked all customers to leave the cage, at the same time moving ash trays from two tables and placing them on another table within the

cage. This table was near to the entrance of the cage, which has a double metal gate at the entrance. Once all customers had left the cage, she closed and padlocked the gates to the cage so it could not be used. This occurred between approximately 2206 and 2212 hrs.

I noted that when customers left the cage some of them went into the premises, but others stood behind myself and my colleague. Some of these customers were drinking and some were smoking. I took a photograph of this group (photo 3 – taken at 2212 hrs).

I also noted that there were 3 males sat within the new outside structure. The member of staff went into this area and advised these males that they were not allowed to drink outside. The males immediately left the area, and the member of staff exited the structure carrying 3 empty glasses. She then spoke to the group of persons stood behind us and advised them they could not drink outside. She then started to walk back into the premises, and at the same time a male exited the premises carrying a drink. She told this male that he could not drink outside. The member of staff then went back into the premises. A further male then came out of the premises and stood to the left of the doors as you exit the premises. He lit a cigarette and commenced smoking. I took a photograph of this male (photo 4 – taken at 2213 hrs).

I also took a photograph, through the metal gates of the cage, showing 2 ashtrays positioned on a table within the cage, close to the gates (photo 5 – taken at 2214 hrs).

We then went back into the premises, and left via the front doors. At that time I noted that the outer doors and window were still open, and music was still being provided, which was clearly distinguishable above other noise in the area.

In respect of customers stood up in the outside area, whilst drinking and smoking, the following conditions, under the heading Conditions attached after a review hearing by the Licensing Authority relate to this:

Condition 1 – “The premises outside areas shall be closed by 10pm every day except for the smoking area, known as the cage”.

Condition 11 – “Patrons using the outside areas shall be seated and signage shall be prominently displayed in these areas notifying patrons of this”.

Condition 12 – “After 10pm patrons wishing to smoke, must use the designated smoking area, known as the cage”.

Condition 15 – “Drinks shall be prohibited outdoors after 10pm”.

In respect of the doors and window being open and the music and singing being distinguishable at our location immediately outside a residential property, the premises licence contains the following conditions which were attached following a review hearing:

Condition 3 - “All windows and door shall be kept closed during regulated entertainment after 10pm”.

Condition 9 - “That the pre-existing conditions around prevention of public nuisance at Annex 3, point 1 of the current Premises Licence shall be reinstated”.

The condition at Annex 3, Condition 1 states:

1. “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 11pm. 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 distinguishable above other noise.
 - (ii) After 11pm- Noise emanating from the premises shall not be distinguishable above background levels of noise.
 - (iii) The local authority shall 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.”

Furthermore, at the time of the visit to the premises by Mr West and I on 22 October 2024, I was not satisfied with the log of outside checks maintained by the premises. The following conditions, under the heading Conditions attached after a Review Hearing by the Licensing Authority, relate to this:

Condition 5 - “The duty manager, or designated staff member each day to regularly check the premises outside areas at least once every half hour when in use, and affectively address any excessive noise by any person or group using that area”.

Condition 6 - “A log shall be kept at the premises to record checks of the premises outside area, and is shall be recorded therein, where any action is taken. This log shall be available for immediate inspection by the Police or any Council Officer or agent visiting the premises, for a look-back period of at least one month.

In respect of customers smoking within the cage when we entered the garden area, it appears that the management may be complacent with enforcing the smoke free regulations, as customers were using ashtrays within the cage area, and although a member of staff advised customers that they were not allowed to smoke in there, she did not remove the ashtrays from the cage, but left them on a table inside the cage after she padlocked the gates.

To date, 16 December 2024, I have not received any contact from either Mr Matthew Lyon or Mr Raymond Lyon as a result of my emails and letters, nor have they signed and returned the vary DPS or minor variation applications.

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**



Signature

.....
Date **16 December 2024**
.....

Capacity **Licensing Officer, Torbay Council**
.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Julie Smart – Licensing Officer Torbay Council Town Hall Castle Circus	
Post town Torquay	Post Code TQ1 3DR
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) julie.smart@torbay.gov.uk	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.