

E-mail: comsec@teignbridge.gov.uk

16 August 2023

LICENSING AND REGULATORY SUB-COMMITTEE

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Thursday, 24th August, 2023** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors Hayes (Chair), Henderson and Peart

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the meeting room you are consenting to being filmed.

AGENDA

Part I

1. **Apologies**
2. **Declarations of Interest**
3. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

Should the Committee wish to exclude the press and public during consideration of the items on this agenda, the following resolution should be passed:-

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s) on the grounds that it involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

4. **Request for Hackney Carriage Vehicle Extension for further 12 months - WJ13 K VX** (Pages 3 - 20)
5. **Application for a New Premises Licence - Parrs Country Store, Matford Home Farm, Matford, Exeter, EX2 8XT** (Pages 21 - 50)

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB COMMITTEE

24 August 2023

PART I

Report Title	Request for Hackney Carriage Vehicle Extension for further 12 months WJ13 K VX Silver Skoda Octavia
Purpose	For the Committee to consider the request, including this report, representations made by the proprietor of the vehicle and to determine whether the vehicle is fit for purpose and should be issued with an extended licensing plate.
Applicant	Mr C Leathlean
Options	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
Report Author	Debbie Rosenveldt, Licensing Officer licensing@teignbridge.gov.uk
Appendices / Background Papers	A: Request for extension B: MOT history C: Photographs

1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 15 May 2015
Age of vehicle, if granted - 10 years and 3 months
Hackney Carriage licence expires – 31 August 2023

The vehicle will no longer meet the Council's licensing policy as it is now being more than 10 years old.

- 1.2 The current MOT expires on 31 August 2023 with no advisories. MOT booked with vehicle inspection.
- 1.3 Vehicle inspection booked at the Depot on 10 August 2023 – details to be provided at the hearing.
- 1.4 **Licensing Officer:**
Vehicle checked -
Officer comments.
At the time of writing this report the vehicle had not been inspected by a licensing officer.

Recommendation:

If the Committee resolves to license the vehicle, a condition requiring the vehicle to have six or four monthly vehicle inspections be imposed.

2. RELEVANT POLICY AND LAW

- 2.1 Paragraph 5.2 of the Council's Hackney Carriage and Private Hire Vehicle Licensing Policy states that:

A vehicle being presented for initial licensing is required to be under five years old at first registration.

A vehicle being presented for subsequent licensing is required to be under 10 years old with the exception of purpose-built cabs. The Council has discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that the vehicle is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six and four monthly testing'.

- 2.2 All vehicle licences are issued annually.

- 2.3 Section 43 of the Town Police Clauses Act 1847 provides that:

'Every licence so to be granted shall be under the common seal of the commissioners, if incorporated, or, if not incorporated, shall be signed by two or more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners' and

- 2.4 Section 47(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

'A district council may attach to the grant of a licence of a hackney carriage under the Act of 1847 such conditions as the district council may consider reasonably necessary'.

- 2.5 The above Policy and statutory provisions reflect the Council's responsibility to ensure that all hackney carriage and private hire vehicles are safe and fit for use by members of the public. The Committee has the discretion to license a vehicle if it is of the view that the vehicle is safe, fit for use and is in an acceptable condition.

- 2.6 The decision of the Committee following a complete review of the Hackney Carriage and Private Hire Policy in April 2009, after taking into account the views from the trade, were as follows:

“The Committee decided that vehicles being presented for initial licensing must be under five years old.”

- 2.7 With regard to subsequent licensing, the Committee decided that a vehicle should be under ten years old with the exception of purpose-built cabs. However, the Committee decided that the Council could exercise discretion to continue to licence Hackney Carriage or Private Hire vehicles which are older than ten years provided that the Council is satisfied that it is in a good condition and good state of repair and provided that it passes the appropriate testing standard. Applications for subsequent licensing for vehicles older than ten years will be considered by the Regulatory and Appeals Committee which can impose such conditions as it thinks fit including six monthly testing. The Committee did not consider it appropriate to introduce an upper age or mileage limit.”
- 2.8 Section 50(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides:

‘that a district council shall not under the provisions of this subsection require a proprietor to present the same hackney carriage or private hire vehicle for inspection and testing on more than three separate occasions during any one period of twelve months.’

3. FINANCIAL IMPLICATIONS

The cost of defending the appeal if the application is refused and the applicant appeals to the Magistrates’ Court.

4. LEGAL

The Committee are required only to ensure that Public Safety is not compromised by the granting of an extension of the licence. If they are satisfied that safety is reasonably assured, they may grant the licence for a maximum of 12 months or such shorter period as they see as appropriate.

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H444 WJ13 KVX

Thu 13/07/2023 21:56

Please could I request an extension to the plate on this vehicle.

It has been a great car, totally reliable, regularly serviced and never broken down. It is also in very good cosmetic condition inside and out with only minor blemishes.

Kind Regards
Chris Leathlean

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Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrn=WJ13KVX&make_result=SKODA&model_result=OCTAVIA&mot_first_used_date=2013-05-15&vehicle_age=3731&mot_expiry_date=2023-08-31&mot_expiry_date_days_left=29&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrn=WJ13KVX&make_result=SKODA&model_result=OCTAVIA&mot_first_used_date=2013-05-15&vehicle_age=3731&mot_expiry_date=2023-08-31&mot_expiry_date_days_left=29&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[< Back](#)

This vehicle's MOT expires soon

WJ13 KVX

SKODA OCTAVIA

[Check another vehicle \(/\)](#)

Colour

Silver

Fuel type

Diesel

Date registered

15 May 2013

MOT valid until

31 August 2023

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-v5c?registration=WJ13KVX\)](/enter-v5c?registration=WJ13KVX)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

[⌵ Show all sections](#)

MOT history

Check mileage recorded at test, expiry date, and test outcome

[⌶ Hide](#)

Date tested

30 August 2022

PASS

Mileage

184,117 miles

Test location

▶ [View test location](#)

MOT test number

9658 1563 5275

Expiry date

31 August 2023

Date tested

25 August 2021

PASS

Mileage

162,580 miles

Test location

▶ [View test location](#)

MOT test number

1527 0158 9284

Expiry date

31 August 2022

Monitor and repair if necessary (advisories):

- **Offside Front Tyre worn close to legal limit/worn on edge Inner edge (5.2.3 (e))**
- **Nearside Front Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))**

▶ [What are advisories?](#)

Date tested

27 August 2020

PASS

Mileage

144,188 miles

Test location

▶ [View test location](#)

MOT test number

5317 5339 1403

Expiry date

31 August 2021

Repair as soon as possible (minor defects):

- **Nearside Front Upper Anti-roll bar linkage ball joint dust cover severely deteriorated (5.3.4 (b) (i))**

▶ [What are defects and advisories?](#)

Date tested

28 August 2019

PASS

Mileage

127,801 miles

Test location

▶ [View test location](#)

MOT test number

7906 0255 6767

Expiry date

31 August 2020

Monitor and repair if necessary (advisories):

- **Nearside Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Offside Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Offside Front Tyre worn close to legal limit/worn on edge 3mm (5.2.3 (e))**
- **Nearside Front Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))**

▶ [What are advisories?](#)

Date tested

28 August 2019

FAIL

Mileage

127,801 miles

Test location

▶ [View test location](#)

MOT test number

8049 4874 9748

Repair immediately (major defects):

- **Offside Front Headlamp aim projected beam image is obviously incorrect (4.1.2 (c))**

Monitor and repair if necessary (advisories):

- **Nearside Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Offside Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Offside Front Tyre worn close to legal limit/worn on edge 3mm (5.2.3 (e))**
- **Nearside Front Shock absorbers light misting of oil or has limited damping effect (5.3.2 (b))**

▶ [What are defects and advisories?](#)

Date tested
13 August 2018

PASS

Mileage
103,659 miles

Test location

▶ [View test location](#)

MOT test number
7631 9373 8175

Expiry date
31 August 2019

Date tested
13 August 2018

FAIL

Mileage
103,652 miles

Test location

▶ [View test location](#)

MOT test number
8314 8493 3519

Repair immediately (major defects):

- **Nearside Front Headlamp aim so that beam "kick up" is not visible on the screen (4.1.2 (a))**

▶ [What are defects?](#)

The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor. [Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

Date tested
14 August 2017

PASS

Mileage
81,749 miles

Test location

▶ [View test location](#)

MOT test number

5352 1784 4559

Expiry date

31 August 2018

Advisory notice item(s)

- **Front brakes release unevenly just under max imbalance**

▶ [What are advisories?](#)

Date tested

25 August 2016

PASS

Mileage

58,157 miles

Test location

▶ [View test location](#)

MOT test number

3145 9867 6205

Expiry date

31 August 2017

Date tested

1 September 2015

PASS

Mileage

29,332 miles

Test location

▶ [View test location](#)

MOT test number

8231 7331 5287

Expiry date

31 August 2016

Check for vehicle recalls

See if SKODA OCTAVIA WJ13KVX has outstanding recalls

⌵ [Show](#)

[Cookies](#) [Terms and conditions](#) [Privacy notice](#) [Accessibility statement](#)

[MOT history API](#) [Service status](#)

OGL

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TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

CHAIR: Cllr Robert Hayes

DATE: 24 August 2023
REPORT OF: Licensing Manager
SUBJECT: **Application for a New Premises Licence – Parrs**
Country Store, Matford Home Farm, Matford, Exeter, EX2
8XT

PART I

RECOMMENDATION

That the Licensing Act 2003 Sub-Committee is requested to consider this application.

PART I

1. THE APPLICATION

Applicant: Richard Parr

Premises: Parrs Country Store, Matford Home Farm, Matford, Exeter, EX2 8XT

The application is for a Premises Licence to be granted under the Licensing Act 2003 is to allow the provision of regulated entertainment and supply of alcohol. Attached is a copy of the location plan and plan of premises (Appendix A).

The operating schedule shows: -

Hours Premises Open to the Public:
Monday to Sunday 0800hrs until 2200hrs

Relevant licensable activities:

- Supply of alcohol.
- Provision of regulated entertainment: recorded music.

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Hours of licensable activities:

Playing of Recorded Music Monday to Sunday 0800hrs to 2130 hrs
Supply of Alcohol (on/off the premises) Monday to Sunday 0800hrs to 2130hrs

Seasonal variation on all licensable activities
No seasonal variations

Designated premises supervisor: **Joanne Haywood**

Supply of alcohol is for consumption on and off the premises.

Steps to promote licensing objectives:

- General
-
- The Prevention of Crime and Disorder

STAFF TRAINING:

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

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, underage or appears to be underage, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

INCIDENT LOG

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

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police

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- iii. All ejections of patrons
- iv. Any complaints received
- v. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service

Records must be completed within 24 hours of any incident and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.

ALCOHOL SALES

All alcohol for consumption OFF the premises will be sold in sealed containers.

- Public Safety
In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be fully operational whilst the public are present.

The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.

- The Prevention of Public Nuisance
Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quietly as possible. Dedicated member of staff managing this during the busier periods.

During the darker months, ensure that your exterior lighting is not pointing directly at any residential properties.

Music noise levels to be no higher than 5dB above the background noise. In a previous noise assessment, the background noise at Matford Farm was around 48dB.

- The Protection of Children from Harm
CHALLENGE 25

There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

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This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

REFUSALS REGISTER

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

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations

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

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

2. RELEVANT REPRESENTATIONS

Responsible authorities:

Police – no representation received.

Environmental Health Officer – no representation received.

Fire Officer – no objection.

Planning Officer – no objection.

Food and Safety - no representation received.

Child Protection Agency - no representation received.

Weights & Measures – no representation received.

Health Authority - no representation received.

Interested parties:

Eight representations have been received on the grounds of Public Nuisance and Crime and Disorder. Four of these representations were deemed not relevant. However, they have been included.

Note: Relevant extracts from D.C.M.S. Guidance and the Council's own Licensing Policy are attached at the end of the report to assist members consider these representations.

TEIGNBRIDGE DISTRICT COUNCIL

Andrea Furness
Licensing Manager

Wards affected	<i>Kenn Valley</i>
Contact for any more information	<i>Andrea Furness</i>
Background Papers (For Part I reports only)	<i>Licensing Act 2003 Section 182 Guidance for Police and Licensing Authorities and Statement of Licensing Policy</i>
Key Decision	<i>No</i>
In Forward Plan	<i>No</i>
Community Impact Assessment attached:	<i>No</i>
Appendices attached:	<i>Appendix A – Location plan and plan of premises Appendix B – Representations Appendix C – National guidance Appendix D - Policy</i>

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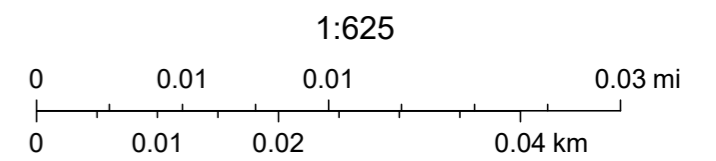
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0 0.01 0.01 0.02 mi
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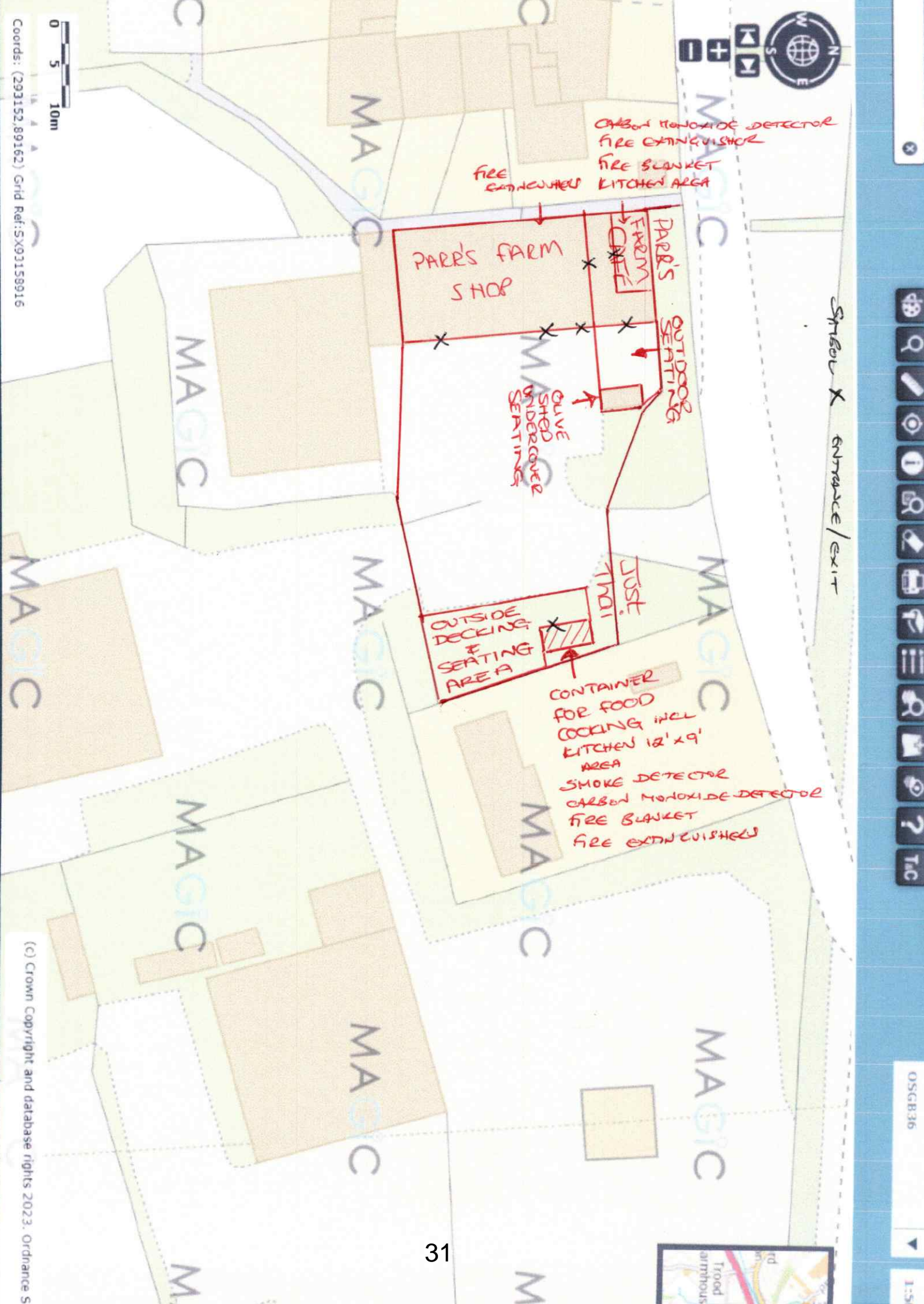
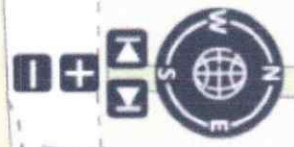
Parrs Farm Country Store, Matford



July 24, 2023



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SHED X entrance/exit

CARBON MONOXIDE DETECTOR
 FIRE EXTINGUISHER
 FIRE BLANKET
 FIRE EXTINGUISHER
 KITCHEN AREA

PARR'S FARM SHOP

FARM GATE

OUTDOOR SEATING

GIVE SHED UNDERCOVER SEATING

JUST THAT!

OUTSIDE DECKING & SEATING AREA

CONTAINER FOR FOOD COOKING incl
 KITCHEN 12' x 9' AREA

SMOKE DETECTOR
 CARBON MONOXIDE DETECTOR
 FIRE BLANKET
 FIRE EXTINGUISHER



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From: Derek HEWERTSON <[REDACTED]>
Sent: 19 July 2023 22:45
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: 2023 Jul 19 - Mr Hewertson

 **For the attention of Mrs. Andrea Furness, Licensing Manager**

Will you kindly note my objections to the above Application.

1) Noise.

The Farm Country Store boundary is contiguous with several properties of Matford Mews (Nos 6-9). Existing noises created within the shop barn are clearly audible within these properties, more so in their gardens. Conversations and 'phone discussions by previous users of the shop area heard daily were disturbing and unacceptable in language, particularly to children in these adjacent houses and gardens. Noises in the area outside the barn also are considered unpleasant by these same families.

The Mews south facing properties and gardens (Nos 10-14) are tranquil areas, necessary for accommodation and relaxation. Noises from the shop area can be heard along this row and are unacceptable to its residents. In particular, myself at No 10, aged 95, long retired and requiring lengthy periods of quiet find existing noises from the shop and adjacent areas annoying, unpleasant and unnecessary, particularly in my garden. Adjacent neighbours on both sides are recently retired and already expect reasonably low continuous ambient noise levels.

There is a recreation grassed area south of the gardens which is a quiet, peaceful area used by Mews residents. Noises from the whole farm, including the shop and cafe site are a frequent unpleasant features of life here.

The prospect of recorded music being played seven days weekly, 8.00 am to 9.30 pm from the shop or from the farm site adjacent to the barn is extremely unacceptable in an area adjacent to domestic and recreational activities creating excessive stress levels for residents, including me.

Additional unpleasant noise levels will be generated if the application for the sale of alcohol is granted.

2) Sale of Alcohol.

An Alcohol Licence granted to the cafe will increase car movements in and around the farm site, increase parking problems within the site (particularly for the existing businesses there) and on the adjacent slip road. Noise levels will increase for lengthy periods, particularly at popular meal times, culminating in maximum levels at closing times. The occasions for crowd disturbance will increase as special events, such as weddings and conferences are legitimately promoted. Increasing stress levels among Mews residents will increase proportionately. This will be particularly evident on Saturdays at 9.30 and beyond, but is a regular possibility on other days for which the licence is given.

Conclusion.

I submit the combination of the two licences, if granted for the cafe, will create regular disturbances, possibly throughout many days of every week. This is a clear public nuisance. I respectfully request that you refuse the applications.

Yours faithfully

Derek Hewertson

10 Matford Mews, Alphington, EXETER, EX2 8XP

Telephone: [REDACTED]

E-mail: [REDACTED]

From: n.langford [REDACTED] >
Sent: 19 July 2023 19:43
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: 2023 Jul 19 - Mr Langford

Dear Sir/Madam,

I would like to register my objection to this application. Details of my objection are contained within the attached document.

Parrs Farm Country Store Premise Licence Application

Dear Sir/Madam,

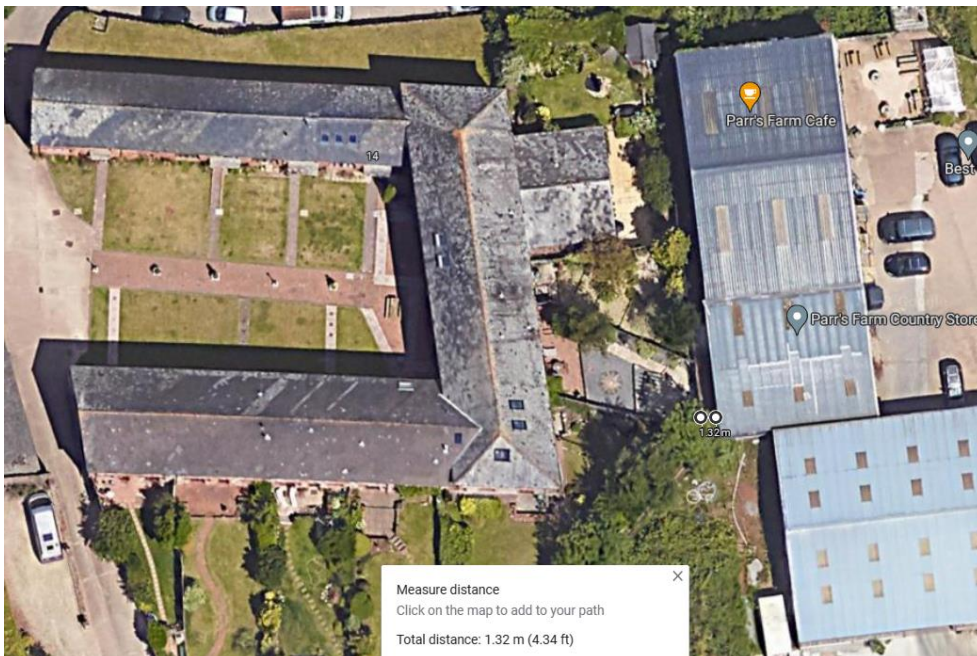
I would like to strongly object to this application being granted.
The grounds for my objection are 'The prevention of public nuisance'.

I live at 9 Matford Mews, which is the corner property in the image below. As can be seen, by the measurement taken, the boundary of my property is only 1.3 metres from the rear wall of Parrs Farm Country store. Like other neighbours, we make significant use of our gardens whenever possible.

I firmly believe that if Mr Parr is granted the Premise licence for his 'Country Store' building, that the sound generated by the recorded music playing, along with a potentially large number of customers consuming alcohol both inside and outside of the building, that the resultant noise will be extremely stressful for all occupants of domestic dwellings nearby.

The potential time for these stressful conditions occurring is almost unlimited, as the requested hours of operation are from 8am to 9:30pm, every single day of the week. If granted, Mr Parr could legally generate noise and serve alcohol 94 hours per week. When adding on the time for customers to 'drink-up' after closing time, the number hours could well exceed 100 per week.

If this licence is granted, then myself and other residents, may not get a single day of peace ever again, should Mr Parr chose to use the licence to its full extent.



In conclusion, I respectfully request the Licensing committee to consider the high likelihood of this licence generating a massive 'public nuisance' effect on the residents of Matford Mews and therefore reject Mr Parrs' Premise licence application.

Yours faithfully,
Neil Langford
9 Matford Mews, EX2 8XP

From: paul.dp.miller <[REDACTED]>
Sent: 19 July 2023 10:59
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Cc: [REDACTED]
Subject: 2023 July 19 - Mr and Mrs Miller

Hello,

RE: OBJECTION TO LICENCE REQUEST FOR PARRS FARM, MATFORD, EXETER EX2 8XT

My wife and I are currently on holiday in Greece so unable to access the Internet via a proper laptop etc. However, we wanted to register our objection to the licensing application being requested by Parrs Farm in Matford, Exeter. Hopefully you can find the official reference number as I am typing this objection on a mobile phone and can't access the required websites etc.

Our objection is quite simply the fact that a alcohol licence for a farm shop so close to our residential properties, will of course cause a noise volume nuisance which could see music played along with customers chatting and laughing continuously throughout the working day and at weekends. A quick visit to the farm shop will clearly show these premises back directly onto our residential properties. This simply is not suitable for this residential location.

Additionally, Mr Parr has cleverly registered a new Thai Restaurant, also based at Parrs Farm, as part of Parrs Farm Country Store! This would mean that any licence granted for the store in question, could also be used at these outlying buildings. This could result in multiple buildings at Parrs Farm generating independent music and attracting customers through the sale of alcohol. All of this will cause noise pollution in what is clearly a growing residential area.

I would urge the licensing department to carefully consider the impact such a licence will have on the residential properties backed up against these farm buildings and the resulting noise levels from the increased number of people drinking alcohol both inside and outside the buildings located at Parrs Farm. It is simply not suitable for a residential area such as this and any consideration for a licence should consider the resulting noise pollution nuisance levels and anti social behaviour this will instantly cause so close to existing properties.

Kind Regards

Paul & Catherine Miller
11 Matford Mews, Matford, Exeter, EX2 8XP

[REDACTED]
[REDACTED]
[REDACTED]

From: John Maclean <[REDACTED]>
Sent: 17 July 2023 18:49
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: Re: 2023 Jul 18 - to Mr Maclean response to Rep

Thank you for your email. I believe it needs to be clarified as to exactly what "business" at Parrs Farm is going to be selling alcohol and playing music? Both the businesses you mention, Just Thai and Parrs Farm Cafe are directly behind our house and would have an effect on our daily lives should this license be granted. We formally object on the grounds of:

1. Public Nuisance - we believe the playing of music at these premises would constitute a public nuisance. Previously, loud music has been played from adjacent premises which caused great public nuisance to residents of Matford Mews, and we believe if any premises in this very small site are granted music licenses then the noise generated will constitute a public nuisance.
2. The prevention of crime and disorder - The premises applying for licensing to sell alcohol are extremely close to Matford Mews, a residential site. We believe the selling of alcohol by the applicant could reasonably lead to disorder in the immediate area of Matford Mews.
3. Public Safety - While there may be adequate parking immediately on the site, the access to Parrs Farm, where the applicant's premises are located is served by a narrow lane which has the potential for vehicular accidents due to increased traffic in the lane. While we understand that we cannot object about traffic, we do envisage that this increase could lead to public safety concerns.

Regards

John & Lynne Maclean

6 Matford Mews

From: John Maclean <[REDACTED]>
Sent: 08 July 2023 15:02
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: Parrs Farm Licensing Application objection

To whom it may concern,

We have just been made aware that Parrs Farm have submitted a license application for the Sale of alcohol – Monday to Sunday 8am to 9.30pm and the

Playing of recorded music – Monday to Sunday 8am to 9.30pm. Our property is part of Matford Mews and backs onto the building in question. In fact, the wall of the breeze block and metal constructed building sits directly on our boundary. We are horrified to hear about this application as it will cause a great deal of disruption to our lives if approved. Not only are we concerned about increased noise but also increased traffic and potential alcohol related, unruly behaviour. Parr's property is in the totally wrong place for licensing of this type and is far too close to residential properties. My own property will suffer from increased noise pollution and if granted, we will take steps to legally challenge the licensing. I also suggest you talk to your planning department about their previous dealings with the applicant.

Regards

John and Lynne Maclean

From: don clarke <[REDACTED]>
Sent: 10 July 2023 15:26
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: Parrs Farm Country Store

I would like to object to this request by the above establishment to sell alcohol and play recorded music.

As an owner of a property in Matford Mews which is adjacent to the country store I can only envisage that the granting of such permission would create a public nuisance and disrupt the quiet enjoyment we have within this lovely development.

Please can my objection be passed to the necessary body who will be making this decision.

Amanda Clarke

Sent: 14 July 2023 10:58

To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>

Subject: Parrs Farm Country Store

Good Morning

I am emailing in regards to the application for a 'premises license' for Parrs Farm Country Stores at Matford in Exeter.

As a resident I have been made aware that this application has been made by the owner of Parrs Farm Country Store. I totally object to this application for the following reasons;

Firstly, as a resident that lives directly next door to the premises and with a property that backs onto the Farm store, it is totally unacceptable to have to endure the 'nuisance' that will occur from this license application. We already have to listen to music late at night from the Devon Hotel which has a major impact on my sleep and mental health, this will only make this even worse listening to it from both sides of my property.

Secondly, this will clearly increase the volume of traffic using the already diabolical road surface leading to the premises.

Thirdly, only 8 weeks ago we had a 'member of the public' enter 3 separate properties at Matford Mews, whilst drunk, drugged and disorderly, where I had to call the police and report to the Crime and Commissioning officer, The Chief Inspector of Devon and Cornwall Police and my local MP and Councillor. Clearly this could only potentially increase the possibility of this happening again. This has left me scared in my own property already let alone it potentially being allowed to happen again.

The farm shop area has increased massively already with a cafe during the day, a new Thai restaurant opening imminently, a boxing gym, car wash, doctor mechanic and a plant business on top of the Country store, all this in an extremely small area.

All of these businesses have had no consideration for us as the only residents in regards to the infrastructure/roads that go with these businesses.

Again, I massively object to this application on the grounds it will cause a 'public nuisance' and have major detriment to my mental health.

I hope this objection will be taken in the serious manner that it is written.

Regards

Tina Roberts

5B Matford Mews

Exeter

EX28XP

Sent: 19 July 2023 10:05

To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>

Subject: 2023 Jul 17 - from Mr A Hoare

Dear Sir/Madam,

With regard to the recent notice posted for an application for a Premises Licence, allowing the sale of alcohol Monday to Sunday 8am to 9.30pm plus the playing of recorded music from Monday to Sunday 8am to 9.30pm at Parrs Farm Country Store, EX2 8XT and as the owner of 1 Matford Mews, I strongly object to this application in principal and on the following grounds:

- These premises are adjacent to the residential compound of Matford Mews. The selling of alcohol and playing of music within the adjacent building and surrounding grounds at these extended hours, in addition to Mr. Parrs other commercial activities can only add to the disruption and promote possible crime and disorder in the area, not to mention the general disturbance to the Mew's residents who have been in residence since long before Parrs Farm became a mini commercial/retail park.
- Unacceptable noise levels of the music applied for can degenerate into a public nuisance.
- Public safety may also be jeopardised with the granting of this licence.

Yours faithfully,

Mr. A M Hoare
1 Matford Mews
EX2 8XP

From: Lorraine Shelley <[REDACTED]>
Sent: 20 July 2023 20:00
To: Ext Mail: Licensing <licensing@Teignbridge.gov.uk>
Subject: 2023 Jul 21 - Miss L Shelley

To whole this may concern

I would like to add my concerns and objections to the newly started Thai take away that is attempting to gain a music license.

The mews is a very quiet area and off any major built up areas.
It has been challenging enough to try and conserve what rural area we have left.

From the below I have concerns after a recent break in at my home. The mews being out of the way apart from the Devon hotel we have always been unknown to most and people always say they never knew we existed. A recent break in and being heavily pregnant we are concerned that this new venue including the car wash attracts people to where we live. Our home. Fright enough having someone enter your home in the early am when you are a female alone.

With my baby due to be born soon I am concerned that my home backs into the farm and Thai takeaway where this music will interfere with settling my newborn baby as well as future safety when playing outside in the mews.

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance and
- The protection of children from harm.

I object to the application submitted and would ask that the other businesses are looked into with regards to permits etc.

Kind regards
Miss Lorraine Shelley

National Guidance

National guidance regarding premises is as follows:-

- 14.9 All statements of policy should begin by stating the four licensing objectives, which the licensing policy should promote. In determining its policy, a licensing authority must have regard to this Guidance and give appropriate weight to the views of consultees.*
- 14.10 While statements of policy may set out a general approach to making licensing decisions, they must not ignore or be inconsistent with provisions in the 2003 Act. For example, a statement of policy must not undermine the right of any person to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its individual merits.*
- 14.11 Similarly, no statement of policy should override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.*
- 14.12 Statements of policies should make clear that:*
- licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act; and*
 - conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.*
- 14.13 A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres.*
- 14.29 As noted above, there should be an evidential basis for the decision to publish a CIA. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for publishing a CIA. Evidence of cumulative impact on the promotion of the licensing objectives needs to relate to the relevant problems identified in the specific area to be covered by the CIA. Information which licensing authorities may be able to draw on includes:*
- Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots;*
 - Statistics on local anti-social behaviour offences;*
 - Health-related statistics such as alcohol-related emergency attendances and hospital admissions;*
 - Environmental health complaints, particularly in relation to litter and noise;*
 - Complaints recorded by the local authority, which may include complaints raised by local residents or residents' associations;*
 - Residents' questionnaires;*
 - Evidence from local and parish councillors; and*

- Evidence obtained through local consultation.

14.30 The licensing authority may consider this evidence, alongside its own evidence of the impact of licensable activities within its area, and consider in particular the times at which licensable activities are carried on. Information which may inform consideration of these issues includes:

- Trends in licence applications, particularly trends in applications by types of premises and terminal hours;
- Changes in terminal hours of premises;
- Premises capacities at different times of night and the expected concentrations of drinkers who will be expected to be leaving premises at different times.

14.33 After considering the available evidence and consulting those individuals and organisations listed in section 5(3) of the 2003 Act and any others, a licensing authority may be satisfied that it is appropriate to publish a CIA. The CIA should also be considered alongside local planning policy and other factors which may assist in mitigating the cumulative impact of licensed premises, as set out in paragraph 14.46.

14.40 In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described. Having published a CIA a licensing authority must have regard to the assessment when determining or revising its statement of licensing policy. It is therefore expected that, in respect of each relevant application in the area concerned, the licensing authority will be considering whether it is appropriate to make a representation to its committee as a responsible authority in its own right. The CIA does not, however, change the fundamental way that licensing decisions are made. It is therefore open to the licensing authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and a licensing authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.

14.41 The CIA must also stress that it does not relieve responsible authorities (or any other persons) of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the CIA, or the fact that a CIA has been published. It remains incumbent on all responsible authorities and other persons to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the 2003 Act, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted.

14.44 A CIA should never be absolute. Statements of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. After receiving relevant representations in relation to a new application for or a variation of a licence or certificate, the licensing authority must consider whether it would be justified in departing from its CIA in the light of the individual circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not. If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one or more of the

licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

14.46 CIAs must not impose quotas based on either the number of premises or the capacity of those premises. This is because quotas that indirectly have the effect of predetermining the outcome of any application would have no regard to the individual characteristics of the premises concerned.'

APPENDIX

National guidance regarding licensing hours is as follows:-

'13.44 With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.'

13.45 Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area. The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises make an important contribution to our local communities, and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so.'

National guidance regarding non-duplication of other regimes is as follows:-

'13.14 Statements of licensing policy should reflect the general principles regarding licence conditions set out in Chapter 1 of this guidance.'

13.57 The statement of licensing policy should indicate that planning permission, building control approval and licensing regimes will be properly separated to avoid duplication and inefficiency. The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.'

13.58 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. Proper integration should be assured by licensing committees, where appropriate, providing regular reports to the planning committee.'

National guidance regarding standardised conditions:-

'10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives'

Licensing Policy Considerations

It is considered that the following have a bearing upon the application:

- 3.1 The Council, as the Authority, has a duty under Section 4 of the Act to carry out its licensing functions with a view to promoting the four licensing objectives. Each objective is of equal importance and there are no other licensing objectives. The licensing objectives are:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance and
 - the protection of children from harm
- 3.2 These objectives are the only matters to be taken into account in determining applications and any conditions attached must be necessary to achieve the licensing objectives. If there are no relevant representations then an application must be granted and will be subject only to the mandatory conditions and the applicant's operating schedule.
- 4.1.1 The licensing function is only one means of delivering the licensing objectives and should not be seen as a panacea for solving all alcohol and entertainment-related problems within the community. The Authority recognises that as well as the licensing function there are a number of other mechanisms for addressing alcohol-related crime and disorder such as:
- planning controls
 - Community Alcohol Partnerships
 - installation and/or expansion of CCTV systems in problem areas
 - Public Spaces Protection Orders (Crime and Policing Act 2014)
 - S.27 and s.30 Dispersal Orders (Anti-Social Behaviour Act 2003)
 - police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise (Licensing Act, ss.160 & 161)
 - the power of Responsible Authorities and other persons to apply for a review of the licence (see 9.2)

The Authority will therefore continue to work in partnership with other licensing authorities, the Responsible Authorities, other agencies such as South Devon and Dartmoor Community Safety Partnership and with local businesses and residents in a co-ordinated approach to tackling alcohol-related crime and anti-social behaviour.

- 4.1.3 In discharging its licensing function, the Authority will comply with relevant legislation Section 17 Crime and Disorder Act 1998, The European Convention on Human Rights, which is applied by the Human Rights Act 1998, The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000 and Equality Act 2010.

The licensing authority will also have regard to other legislation, strategies, policies and guidance in its decision making.

- 4.1.4 The central purpose of the licensing function is to promote the licensing objectives through the effective regulation of licensed premises, qualifying clubs and temporary events. The Authority is keen to foster a safe and vibrant leisure economy and will work with applicants and licence holders to encourage and sustain well managed premises which make a positive contribution to the community. The Authority will expect applicants and licence holders to demonstrate that they have given thought to and have in place adequate measures to ensure that the operation of their premises will not have an adverse effect on the quality of life of persons living and/or working in the vicinity of the premises.
- 4.3.3 The Authority recognises that it is a fundamental principle of the Act that the licensing function should not duplicate other statutory regulation.
- 5.3.1 When determining a licence application, the overriding principle adopted by this Authority will be that each application will be determined on its merits. The Authority will have regard to any guidance issued by the Home Office, this Statement of Licensing Policy and any measures it deems necessary to promote the licensing objectives. The Authority may depart from the guidelines in this Policy if it has justifiable and compelling reasons to do so. The Authority will give reasons for any such departure from policy.
- 5.3.2 The Authority will expect applicants to demonstrate in their applications active steps for the promotion of the licensing objectives. When determining an application, a key consideration for the Authority will be the adequacy of measures proposed in the Operating Schedule to promote the licensing objectives having regard to the type of premises, the licensable activities to be provided, the nature of the location and the needs of the local community.
- 5.3.3 The Authority will also have regard to wider considerations affecting the residential population, businesses and the amenity of an area. These include alcohol-related violence and disorder, anti-social behaviour, littering, fouling, noise and the capacity of the infrastructure and police resources to cope with the movement of large numbers of people, particularly late at night and in the early morning.
- 5.3.4 Since the introduction of the Act, the Authority's experience is that the vast majority of complaints about licensed premises are caused by public nuisance, in particular excessive noise from live and recorded music and disturbance caused by customers congregating outside licensed premises. The Authority will expect applicants to have particular regard to these issues and to include in their Operating Schedules adequate and effective steps to control noise and disturbance from their premises. Existing licence holders will also be expected to demonstrate – through the effective management of their premises – that they are taking appropriate and reasonable steps within their control to minimise disorder, anti-social behaviour and public nuisance.

Public nuisance is not defined in the Licensing Act 2003 and retains its broad common law meaning. It should be noted that public nuisance can include low-level nuisance affecting a few people living locally as well as major disturbance affecting the whole community. It may also include the reduction of the living and working amenity and environment of persons and businesses in the area of licensed premises. (Home Office Guidance 2.16 (S182 April 2018))

- 5.3.5 When deciding whether to grant a licence, the Authority may take account of any non-compliance with other statutory requirements brought to its attention, if these undermine the licensing objectives. This is because any non-compliance with other statutory

requirements may demonstrate that the premises are unsuitable for the activities proposed, or that the management of the premises is not sufficiently competent to protect the public from harm or nuisance.

5.3.6 When determining an application, the Authority will consider all relevant evidence, both oral and written, provided by parties to a hearing. Evidence which is irrelevant may be disregarded. The Authority encourages applicants and persons making representations to attend hearings so that they can give evidence. Where an individual fails to attend the hearing, the Authority will consider their application or representation but may attach less weight to it.

5.3.7 It should be noted that, when determining an application, the Authority is making a judgement about risk. A key purpose of the licensing function is not to respond to crime and disorder, nuisance or public harm once it has happened but to make an informed assessment of the risk of such things occurring if a licence is granted and to take such steps as it considers appropriate to prevent or minimise such risks.

3.5.1 Public nuisance can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting the wider community. Nuisance is generally attributable to noise (from loud music or from rowdy customers), vibration, light pollution, noxious smells and litter. Applicants will be required to demonstrate that they have adequate measures in place in their applications to prevent nuisance and disturbance.

3.5.2 Noise from people entering and leaving licensed premises, particularly late at night or in the early hours of the morning, can be a significant problem. Customers under the influence of alcohol are often less inhibited about their behaviour and may be unaware of the noise they are creating. As background noise levels are lower at night, any noise is more intrusive for residents trying to sleep.

3.5.3 The Authority will require applicants to take appropriate and proportionate measures for the prevention of public nuisance. Such measures may include those listed in the [Authority's Information Pack – Pool of Licensing Conditions](#)

6.1 In general, the Authority will deal with the issue of licensing hours on the individual merits of each application. However, when issuing a licence with hours beyond midnight higher standards of control and supervision will be expected in order to promote the licensing objectives - especially for premises situated in or near residential areas.

6.2 The Act does not provide for standard closing times. Licensed premises will generally be permitted to sell alcohol during the hours they intend to open provided they can demonstrate to the satisfaction of the Authority that the premises will be operated in a manner consistent with the licensing objectives, Home Office guidance (S182) and this Policy. However, there is no presumption that applications for extended hours will take precedence over the human rights of local residents and businesses.

6.3 The licensed hours will normally be approved where the applicant can show that the proposal would not adversely affect the licensing objectives. The Authority may, however, set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area or is necessary to achieve one or more of the licensing objectives.

Home Office Guidance 10.14 (S182 April 2018). If the Licensing Committee or a sub-committee believes that granting longer hours would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.

6.4 The Authority recognises that fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people tend to leave licensed premises at the same time. Flexible licensing hours in relation to the sale of alcohol may therefore be considered as a potential means of reducing friction at late night food outlets, taxi ranks and other 'flashpoints' in areas where there have already been incidents of disorder and disturbance.

6.5 In considering licence applications, the Authority will consider the adequacy of measures proposed to deal with the potential for crime, disorder and/or nuisance having regard to all the circumstances of the case. The Authority strongly encourages the adoption of best practice. This includes the expectation, as an item of best practice that CCTV will be provided in those premises that wish to trade in the sale of alcohol beyond midnight for the purpose of preventing crime and disorder and public safety. Applicants should carry out a risk assessment with regard to CCTV and are expected to include CCTV in their operating schedule. Where they elect not to do so, they are strongly advised to provide information explaining that omission. For example, that the risk assessment has shown CCTV to be unnecessary.

7.1 Conditions attached to a premises licence or club premises certificate are a key element of the regulatory framework established by the Act. There are three types of conditions:

- mandatory conditions set out in the Act,
- conditions consistent with the operating schedule, and
- conditions imposed by the Authority.

The Licensing Authority may only impose conditions on a premises licence or club premises certificate where it has received a relevant representation about an application. The application will then be determined at a hearing by a Licensing and Regulatory Committee. If no relevant representation is received, the application must be granted on the terms applied for subject only to the mandatory conditions and conditions consistent with the Operating Schedule.

7.2 Conditions are crucial in setting the parameters within which premises can lawfully operate. Any contravention of a condition on a premises licence or club premises certificate is a criminal offence so it is essential that conditions are worded clearly, precisely and unambiguously. In addition, conditions must:

- be appropriate, reasonable and proportionate
- be enforceable
- not duplicate other statutory requirements
- be relevant to the particular type, location and character of the premises concerned
- not be standardised
- not replicate offences set out in the Act or in other legislation
- be written in a prescriptive format

7.3 The Authority encourages applicants to seek technical advice from the appropriate Responsible Authorities when preparing their Operating Schedules as this will enable any problems to be resolved at an early stage and will reduce the likelihood of representations.

7.4 Experience has shown that many of the conditions volunteered by applicants are poorly worded, unclear or ambiguous and therefore unenforceable. As an aid to applicants, the

Authority has prepared a menu of suggested measures to promote the licensing objectives which applicants are encouraged to consider when preparing their operating schedules. These measures are not prescriptive but will help to ensure that licence conditions are expressed clearly and consistently and enable enforcement to be carried out equitably. The conditions can be viewed within the [Information Pack](#). The Authority, in consultation with the applicant, may amend the wording of proposed conditions where this is unclear, ambiguous or unenforceable.

Home Office guidance 10.5 (S182 April 2018) states that it is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

- 7.5 The Authority will pay particular attention to the effect – potential or actual - of licensable activities on those living, working or otherwise engaged in the area concerned and, where relevant representations are received, may attach conditions if it considers it appropriate for the promotion of the licensing objectives.
- 7.6 Conditions attached by the Authority to Premises Licences and Club premises certificates will relate to matters falling within the control of individual licensees. It is recognised that the licensing function cannot be a mechanism for the control of disorderly behaviour by individuals once they are beyond the direct control of the licence holder. However, the Authority and Responsible Authorities may take action where it can be established that there is a clear linkage between disorderly behaviour and a specific premises.
- 7.7 The Authority will not impose inappropriate or over-burdensome conditions on licences. The Authority may, however, impose conditions where existing legislation does not provide adequate controls and additional measures are considered to be appropriate for the promotion of the licensing objectives.
- 7.8 Although it is not a legal requirement, the Authority recommends as good practice - in respect of premises licensed to sell or supply alcohol for consumption on the premises – that a Personal Licence holder is on the premises at all times to make or authorise such sales or supplies. The Authority is keen to encourage the presence of properly trained staff on licensed premises. Applicants may wish to consider including this as a condition of licence, where appropriate, as a measure to promote the licensing objectives. Where this is not possible (because the premises is too small or because staffing levels do not permit) or when the Premises Supervisor/Personal Licence holder will be absent for a significant length of time, a responsible person should be authorised to oversee the sale of alcohol in the place of the Premises Supervisor/Personal Licence holder. The Authority will expect the authorisation to be made in writing, kept securely on the premises and made available for inspection by an authorised person if requested. Copies of the authorisation should be sent to the Authority and the police.

NB. 'Authorisation' does not mean direct supervision. The government recommends that Personal Licence holders give specific written authorisations to individuals they are authorising to sell or supply alcohol and that such individuals are clearly identified (Home Office Guidance 10.29 - 10.35 (S182 April 2018))

- 8.1 Cumulative impact assessments (CIA) were introduced by the Policing and Crime Act 2017, with effect from 6 April 2018.
- 8.4 If the Authority receives relevant representations suggesting that the cumulative impact of new licences is leading to an area becoming saturated with premises of a particular type and thereby creating problems of disorder and nuisance over and above the impact

from the individual premises themselves, the Authority may consider the issue of cumulative impact when determining an application. The onus is on any person, or organisation, making such representations to prove the assertion that the grant of the licence would cause the cumulative impact claimed.

- 8.5 The Authority does not propose to operate a quota system of any kind, which would have the effect of pre-determining any application; nor does it seek to impose general limitations on trading hours in particular areas. The Authority recognises that pubs, clubs, restaurants, hotels, theatres, concert halls and cinemas have contrasting characteristics and styles of operation. Proper regard will be given to those differences and the impact they are likely to have on the promotion of the licensing objectives
- 11.1 The Authority recognises that drug use is not something that is relevant to all licensed premises. However, where relevant representations are received, the Authority may need to impose special conditions for certain types of venues in order to reduce the sale and consumption of drugs and to create a safer environment for customers using the premises. The conditions to be imposed in such cases will be taken from the Government Department pool of conditions which take into account the report “Safer Clubbing” published by the Home Office. The sale or use of new psychoactive substances (NPS) (so called Legal Highs) the Authority will consider any issue with NPS in line with current legislation and government policy. Where the Authority deems such conditions to be appropriate for the promotion of the licensing objectives, it will seek advice from the local Drugs Action Team and the Police.
- 12.1 Whenever any persons are employed at licensed premises to carry out any security activity, all such persons must be licensed by the Security Industry Authority. The Authority recognises that certain premises, because of the nature of their operation, their capacity, their licensed hours and the licensable activities provided, may require stricter supervision for the purpose of reducing crime and disorder and public nuisance. In such cases, where relevant representations are received, the Authority may impose a condition that licensed door supervisors must be employed at the premises either at all times or at such times as certain licensable activities are being carried out.
- 12.2 The Authority recognises that Door Supervisors have an important function in terms of supervising customers not only inside premises but also outside. Door Supervisors will therefore be expected to take a pro-active role in managing the behaviour of customers outside premises in order to minimise any disturbance and nuisance to nearby residents. Licence holders should ensure in particular that, at closing times, they have sufficient Door Supervisors to effectively control ‘surges’ of customers leaving premises.
- 12.3 Whenever security operatives are employed at licensed premises to carry out any security function such operatives must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are key to public safety at licensed premises and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Strategy.

It is a mandatory condition of a Premises Licence that where the licence requires personnel to carry out security activity (e.g. screening of customers, dealing with conflict management, crowd control) such personnel are licensed by the Security Industry Authority. (Licensing Act 2003, s.21).