

E-mail: democraticservicestdc@teignbridge.gov.uk

19 August 2024

## **LICENSING AND REGULATORY SUB-COMMITTEE**

A meeting of the **Licensing and Regulatory Sub-Committee** will be held on **Wednesday, 28th August, 2024** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Henderson, Peart and Rollason (Vice-Chair)

**Please Note:** Filming is permitted during the 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.

## **A G E N D A**

### **Part I**

1. **Apologies**
2. **Declarations of Interest (if any)**
3. **Minutes** (Pages 3 - 14)  
To approve and sign the Minutes of the meetings held on 10 July 2024, and 31 July 2024.

4. **Request for Hackney Carriage Vehicle Extension for further 12 months - WJ13 K VX** (Pages 15 - 32)
5. **Request for Hackney Carriage Vehicle over 10 years - RV14 ELC** (Pages 33 - 48)
6. **Application for a Variation of a Premises Licence – The Abbot, 16 East Street, Newton Abbot, TQ12 1AG** (Pages 49 - 70)

If you would like this information in another format, please telephone 01626 361101 or e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)

**LICENSING AND REGULATORY SUB-COMMITTEE****WEDNESDAY, 10 JULY 2024**Present:

Councillors Gearon, Hayes (Chair) and Henderson

Officers in Attendance:

Licensing Manager

Legal Assistant

**98. APOLOGIES**

None.

**99. DECLARATIONS ON INTEREST (IF ANY)**

None.

**100. MINUTES**

The Minutes of the meeting held on 14 June 2024, were unanimously approved as a correct record and signed by the Chair.

**101. REQUEST FOR HACKNEY CARRIAGE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - DX13 OVS,**

The Licensing and Regulatory Sub-Committee considered an application for a Hackney Carriage Vehicle Licence Extension for a Vauxhall Zafira vehicle registration DX13 OVS.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in May 2025, with 1 minor defect and 3 advisories and that the vehicle originally failed its annual taxi inspection test on 03 May 2024 and as such had been refused a vehicle licence extension at the sub-committee held on 15 May 2024. The vehicle was subsequently retested and passed its inspection on 16 May 2024 with advisories. The Applicant was unable to be in attendance but had provided a written representation.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought however felt that the windscreen should be fixed as soon as possible with confirmation provided to the Licensing team.

**Decision**

Accordingly, the Sub-Committee granted the Hackney Carriage Vehicle Licence Extension as detailed in the report with the additional conditions of the windscreen being fixed as soon as possible and 6 monthly taxi inspection tests to monitor the condition of the vehicle due to its age and additional advisories listed.

**102. REQUEST FOR PRIVATE HIRE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - EXZ 299**

The Licensing and Regulatory Sub-Committee considered an application for a Private Hire Vehicle Licence Extension for a Mercedes Benz vehicle registration EXZ 299.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in July 2025, with no advisories and that the vehicle passed its annual taxi inspection test on 26 June 2024 with no advisories. The Applicant was in attendance and confirmed that vehicle is regularly serviced and is only used for a select few clients when completing airport runs and similar.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

**Decision**

Accordingly, the Sub-Committee granted the Private Hire Vehicle Licence Extension as detailed in the report with the additional condition of 6 monthly taxi inspection tests to monitor the condition of the vehicle due to its age.

**103. REQUEST FOR PRIVATE HIRE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - YC13 WND**

The Licensing and Regulatory Sub-Committee considered an application for a Private Hire Vehicle Licence Extension for a Vauxhall Zafira vehicle registration YC13 WND.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in August 2025, with no advisories and that the vehicle passed its annual taxi inspection test on 9 July 2024 with no advisories. The Applicant was in attendance and confirmed that vehicle is regularly serviced and is only used for occasional jobs.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

**Decision**

Accordingly, the Sub-Committee granted the Private Hire Vehicle Licence Extension as detailed in the report with the additional condition of 6 monthly taxi inspection tests to monitor the condition of the vehicle due to its age.

**104. REQUEST FOR PRIVATE HIRE VEHICLE LICENCE FOR VEHICLE OVER 5 YEARS - KJ19 AVV**

The Licensing and Regulatory Sub-Committee considered an application for a new Private Hire Vehicle Licence for a Citroen C3 vehicle registration KJ19 AVV.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in June 2025, with no advisories and that the vehicle failed its annual taxi inspection test on 05 July 2024. The vehicle has since been fixed and passed a retest with no further comments. The Applicant was unable to be in attendance but had provided a statement to be read to the sub-committee.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

**Decision**

Accordingly, the Sub-Committee granted the new Private Hire Vehicle Licence as detailed in the report with no additional conditions.

**105. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 5 of Part 1 of Schedule 12A of the Act.

**106. APPLICATION FOR HACKNEY CARRIAGE DRIVERS LICENCE**

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of an application for a new Hackney Carriage Vehicle Driver's Licence.

The Applicant attended the meeting in person and answered questions put to them by the Sub-Committee. The Applicant was not accompanied by a representative.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Hayes and seconded by Councillor Gearon, and

**RESOLVED** that the application for a new Hackney Carriage Vehicle Drivers Licence be refused under Section 59 (1)(a)(i) of the Local Government (Miscellaneous Provisions) Act 1976, so as to promote public safety. The Sub-Committee felt that the conduct of the Applicant as set out in the Report, supported its view that they are not a fit and proper person to hold such a Licence.

**Reasons for the decision:**

Members noted the information set out in the Report relating to the Applicant's spent convictions along with the current licence endorsement MS90 - Failure to give information as to the identity of driver etc. The Sub-Committee noted that though the convictions were spent, they are still considered relevant as the driving of taxis is a 'Regulated Occupation'. As such questions may be asked as to the suitability of an

individual to be granted a licence. The Sub-Committee were also informed that the Applicant had been upfront about his convictions.

The Licensing Manager read out a statement from the Applicant's prospective employer who said he had known the Applicant for 20 years and considers them to be reliable and honest. If the licence is granted, then they will be given a job as a hackney carriage driver.

The Applicant explained to the Sub-Committee that the historic vehicle offences, which included driving with no insurance, driving whilst disqualified and theft from a motor vehicle, had happened over 20 years ago when they were younger. The Applicant has turned their life around and holds an SIA licence and works in maintenance in a holiday park where they are regularly around people's personal belongings. Since obtaining their driving licence in 2006 they have received no points until 2021, when the 6 points were received for failure to give information as to the identity of driver etc.

Members of the Sub-Committee considered the nature of the offence which again impugned the integrity of the Applicant. The Sub-Committee questioned the Applicant why they had received the points on their licence when they had not been the one who had been stopped by the police. The Applicant responded that their brother had borrowed their car and had been stopped by police for being on his mobile phone. He had then provided the Applicant's details including address as at the time they were both living at their parents' house. The Applicant said they received no correspondence at all and was unaware that their brother had been stopped and that the Applicant had subsequently been fined and given points for failing to provide details of who was driving. This only came to their attention when their employer said that they had received an Attachment of Earnings Order from the court. The Applicant said they were then unable to appeal due to being out of time. The Applicant's brother did not confess until asked and as such they no longer have much of a relationship.

The Sub-Committee thanked the Applicant for appearing before them and for answering their questions. However, all factors combined meant that the Sub-Committee did not consider that the Applicant was a fit and proper person.

The Sub-Committee noted the Applicant's history and that the most serious offences had been committed when they were younger, and they had since worked to turn their life around. The Sub-Committee also noted that the Applicant had held a clean driving licence from 2006 until the most recent offence.

However, the Sub-Committee were not completely satisfied by the reasons given by the Applicant for having no knowledge of their brother being stopped by police and then also receiving no correspondence at all throughout the entire process. They were also uncertain as to why even though the time to appeal had run out, the Applicant had seemingly just accepted the points and fine and not sought to challenge these as soon as they were made aware of the error.

The Sub-Committee felt that the serious nature and number of offences committed when the Applicant was younger which all related to vehicle offences, along with the most recent licence endorsement, was evidence that the Applicant was not a fit and proper person to hold a licence.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the Applicant, it was concluded after significant deliberation that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of public safety and considered that, on balance, there was cause to show that the Applicant was not a fit and proper person to hold a Licence.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to refuse the Applicant's application for a new Hackney Carriage Drivers Licence.

Cllr R Hayes  
Chair

This page is intentionally left blank



**LICENSING AND REGULATORY SUB-COMMITTEE**

**WEDNESDAY, 31 JULY 2024**

Present:

Councillors Gearon, Hayes (Chair) and Sanders

Officers in Attendance:

Licensing Manager

Legal Assistant

**107. APOLOGIES**

None.

**108. DECLARATIONS OF INTEREST (IF ANY)**

None.

**109. REQUEST FOR HACKNEY CARRIAGE VEHICLE OVER 5 YEARS - VK19 TWE**

The Licensing and Regulatory Sub-Committee considered an application for a new Hackney Carriage Vehicle Licence for a Hyundai Ioniq vehicle registration VK19 TWE.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that the vehicle's MOT certificate expires in March 2025, with no advisories and that the vehicle passed its annual taxi inspection test on 30 July 2024. The Applicant was in attendance and answered questions put to them by the Sub-Committee.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

**Decision**

Accordingly, the Sub-Committee granted the new Hackney Carriage Vehicle Licence as detailed in the report with no additional conditions.

**110. REQUEST FOR PRIVATE HIRE VEHICLE EXTENSION FOR FURTHER 12 MONTHS - EXZ 599**

On 31 July 2024, the Licensing and Regulatory Sub-Committee was asked to consider an application for a Private Hire Vehicle Licence Extension for a Mercedes Benz vehicle registration EXZ 599.

The Sub-Committee noted the information provided by way of the report. In particular the Sub-Committee noted that in previous years the vehicle had received advisories relating to tyre condition, however the vehicle's current MOT certificate expires in July 2025, with no advisories and that the vehicle passed its annual taxi inspection test on 30 July 2024 with no advisories. The Applicant was unable to be in attendance due to work commitments.

The Sub-Committee were satisfied that the vehicle was in a good and sound condition and that public safety would not be compromised by the granting of the licence sought.

#### **Decision**

Accordingly, the Sub-Committee granted the Private Hire Vehicle Licence Extension as detailed in the report with the additional condition of 6 monthly taxi inspection tests to monitor the condition of the vehicle due to its age.

### **111. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the Press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 5 of Part 1 of Schedule 12A of the Act.

### **112. REVIEW OF HACKNEY CARRIAGE PROPRIETOR LICENCE**

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of a review of a Hackney Carriage Proprietor's Licence.

The licence holder did not attend the meeting in person nor were they represented. The Licensing Officer had received an email on the morning of the Sub-Committee from the licence holder to say they had retired two weeks previous and were now looking to sell the business. The Licensing Officer had then responded to confirm that all signage on the licensed vehicles should be removed, and the taxi licence plates returned to the Council.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Hayes and seconded by Councillor Sanders, and

**RESOLVED** that the licence holder's Hackney Carriage Proprietor's Licences be revoked with immediate effect under Section 60(1)(c) of the Local Government (Miscellaneous Provisions) Act 1976, and no further licences should be issued by Teignbridge District Council which relate to the driving or operation of hackney carriage and private hire vehicles or being the proprietor to any existing or future vehicles that may be licensed, in order to promote public safety due to the conduct of the licence holder as set out in the Report. The Sub-Committee felt there was reasonable cause to support its view that the licence holder is not a fit and proper person to hold such a Licences.

#### **Reasons for the decision:**

Members noted the information set out in the Report relating to the licence holder's conduct over a number of years. The licensing team have received numerous complaints

over the years however the complainants have been reluctant to take these further due to fear of reprisals.

The licence holder had their Hackney Carriage/Private Hire driver licence renewal refused in 2018 which was appealed. The Licensing Authority's decision that the licence holder was not a fit and proper person to hold a driver's licence was subsequently upheld by committee at an appeal hearing.

The Sub-Committee then heard that in 2020 the Police were involved in investigating a complaint against the licence holder relating to harassing behaviour towards a neighbour. The Police also had concerns about the licence holder's general attitude to rules and regulations. The Sub-Committee heard that there had been numerous reports of the licence holder collecting members of the public in unlicensed vehicles and charging for these trips, the most recent being in February 2024.

The Sub-Committee further heard that in May 2023, Teignbridge District Council had successfully prosecuted the licence holder for employing an unlicensed driver. The unlicensed driver employed by the licence holder behaved unacceptably towards young female passengers which resulted in a complaint to the Police.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the licence holder, or someone the licence holder had employed, it was concluded that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of protecting the public and of public safety and considered that, on balance, there was significant cause to show that the licence holder was not a fit and proper person to hold a Licence. The licence holder has repeatedly shown disregard for the rules by picking up fares when they do not hold a driver's taxi licence alongside displaying a serious lack of judgement by employing an unlicensed driver. The Sub-Committee were also very concerned with the number of allegations of aggressive and abusive behaviours that had been received and the length of time over which these had occurred. All behaviours evidenced in the report fell well below that expected of someone responsible for upholding the safety of the general public. The Sub-Committee also felt that the lack of attendance at the committee meeting to provide any explanation to what had been set out in the report, showed a lack of remorse and also that the licence holder did not appear to care there was the potential for the licence to be revoked.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to revoke the licence holder's Hackney Carriage Proprietors Licences with immediate effect and also felt it had no choice but to refuse any further licences to be held with Teignbridge District Council which related to the driving or operation of hackney carriage and private hire vehicles or being the proprietor to any existing or future vehicles that may be licensed.

### **113. REVIEW OF HACKNEY CARRIAGE DRIVER LICENCE**

The Sub-Committee gave consideration to a report presented by the Licensing Officer (previously circulated) in which determination was sought in respect of a review of a Hackney Carriage Driver's Licence.

The licence holder did not attend the meeting in person nor were they represented. The Licensing Officer had received an email the day before the committee informing the Council that they had retired two weeks previous. The Licensing Officer had then

responded to confirm that all signage on the licensed vehicles should be removed, and the taxi licence plates returned to the Council.

Arising from consideration of the report, evidence presented and in accordance with the Council's procedure for hearings, it was moved by Councillor Hayes and seconded by Councillor Sanders, and

**RESOLVED** that the licence holder's Hackney Carriage Driver's Licence be revoked with immediate effect under Section 61(1)(B) of the Local Government (Miscellaneous Provisions) Act 1976, and no further licences should be issued by Teignbridge District Council which relate to the driving or operation of hackney carriage and private hire vehicles or being the proprietor to any existing or future vehicles that may be licensed, in order to promote public safety due to the conduct of the licence holder as set out in the Report. The Sub-Committee felt there was reasonable cause to support its view that the licence holder is not a fit and proper person to hold such a Licence.

**Reasons for the decision:**

Members noted the information set out in the Report relating to the licence holder's conduct over a number of years. The licensing team have received numerous complaints over the years however the complainants have been reluctant to take these further due to fear of reprisals. Complaints relate to verbal and physical threats and intimidation. In October 2023, two complaints were received from taxi drivers of verbal personal abuse.

The licence holder has been on Teignbridge District Council's Employee Protection Register since 2018 following threats of violence made towards a staff member during a telephone conversation. Further abusive language directed towards other Teignbridge drivers was also recorded during another telephone conversation in 2018.

The Sub-Committee then heard that in 2018 the Police had stopped the licence holder for driving with no insurance.

In September 2022, the licence holder's husband allowed an unlicensed driver to pick up passengers. This driver made inappropriate comments to underage female passengers and a complaint was made to the police. The licence holder then went against police instruction and visited the complainant's family at their home. The licence holder apologised and said they would not use the driver again, indicating that they were aware an unlicensed driver had been representing the company.

Applying the test of whether Members of the Sub-Committee would be happy for a person they cared about or a vulnerable person to travel alone in a vehicle with the licence holder, it was concluded that they would not. The Sub-Committee noted its overriding duty to the public, and of the importance of protecting the public and of public safety and considered that, on balance, there was significant cause to show that the licence holder was not a fit and proper person to hold a Licence.

The Sub-Committee were very concerned with the number of allegations of aggressive and abusive behaviours that had been received and the length of time over which these had occurred. The Sub-Committee also felt that a serious lack of judgement had been shown by the licence holder when ignoring the Police request not to go to a customer's house. All behaviours evidenced in the report fell well below that expected of someone responsible for upholding the safety of the general public. The Sub-Committee also felt that the lack of attendance at the committee meeting to provide any explanation to what had been set out in the report showed a lack of remorse, and also that the licence holder did not appear to care there was the potential for the licence to be revoked.

The Sub-Committee therefore considered given the circumstances of this case that it be reasonable and proportionate to revoke the licence holder's Hackney Carriage Drivers Licence with immediate effect and also felt it had no choice but to refuse any further licences to be held with Teignbridge District Council which related to the driving or operation of hackney carriage and private hire vehicles or being the proprietor to any existing or future vehicles that may be licensed.

Cllr R Hayes  
Chair

This page is intentionally left blank

# TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

28 August 2024

### PART I

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle Extension for further 12 months</b> WJ13 K VX Silver Skoda Octavia
<b>Purpose</b>	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.
<b>Applicant</b>	Mr Chris Leathlean
<b>Options</b>	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
<b>Report Author</b>	Andrea Furness, Licensing Manager licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for extension B: MOT history C: Photographs

#### 1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 15 May 2013  
Age of vehicle, if granted – 11 years and 3 months  
Hackney Carriage licence expires – 31 August 2024

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

- 1.2 MOT expires – 31 August 2024 with no advisories.
- 1.3 Vehicle inspection booked at the Depot for – 20 August 2024 details to be provided prior to the meeting.
- 1.4 **Licensing Officer:**  
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.

This page is intentionally left blank

Fri 26/07/2024 12:31

Dear Sir / Madam

I would like extend the plate on my taxi and request it goes to the committee for the following reasons:

It is very good cosmetic condition both inside and out.

It's a great car and a perfect size for a taxi.

It's been well maintained and regularly serviced.

Very reliable and never broken down on me.

I've included my own recent photos of the car and happy to take car to Forde House for further pictures when requested.

Kind Regards

Chris Leathlean

This page is intentionally left blank

## 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=4102&mot_expiry_date=2024-08-31&mot_expiry_date_days_left=24&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=4102&mot\_expiry\_date=2024-08-31&mot\_expiry\_date\_days\_left=24&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV) to help us improve.

< [Back](#)

**This vehicle's MOT expires soon**

**WJ13KVX**

**SKODA OCTAVIA**

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

Colour  
**Silver**

Fuel type  
**Diesel**

Date registered  
**15 May 2013**

MOT valid until  
**31 August 2024**

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

[Download test certificates](/enter-document-reference?registration=WJ13KVX) (/enter-document-reference?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  
**10 August 2023**

Mileage  
**203,250 miles**

MOT test number  
**3104 5256 0103**

Test location  
**21**

Expiry date

# PASS

▶ [View test location](#)

31 August 2024

---

Date tested  
**30 August 2022**

# PASS

Mileage  
**184,117 miles**

MOT test number  
**9658 1563 5275**

Test location

▶ [View test location](#)

Expiry date  
**31 August 2023**

---

Date tested  
**25 August 2021**

# PASS

Mileage  
**162,580 miles**

MOT test number  
**1527 0158 9284**

Test location

▶ [View test location](#)

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**

MOT test number  
**5317 5339 1403**

Test location

▶ [View test location](#)

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**

MOT test number  
**7906 0255 6767**

Test location

▶ [View test location](#)

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**

Mileage  
**127,801 miles**

MOT test number  
**8049 4874 9748**

**FAIL**

Test location

▶ [View test location](#)

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**

Mileage  
**103,659 miles**

MOT test number  
**7631 9373 8175**

**PASS**

Test location

▶ [View test location](#)

Expiry date  
**31 August 2019**

---

Date tested  
**13 August 2018**

Mileage  
**103,652 miles**

MOT test number  
**8314 8493 3519**

**FAIL**

Test location

▶ [View test location](#)

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](#)

Built by the [Driver & Vehicle Standards Agency](#).





This page is intentionally left blank















# TEIGNBRIDGE DISTRICT COUNCIL

## LICENSING AND REGULATORY SUB COMMITTEE

28 August 2024

### PART I

<b>Report Title</b>	<b>Request for Hackney Carriage Vehicle over 10 years.</b> RV14 ELC, Black Ssangyong Rexton EX
<b>Purpose</b>	For the Committee to consider the request included in 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 a licensed plate.
<b>Applicant</b>	Mr Jagtar Singh
<b>Options</b>	The Committee may: a. Grant the request, with or without conditions; or b. Refuse the request.
<b>Report Author</b>	Andrea Furness, Licensing Manager licensing@teignbridge.gov.uk
<b>Appendices / Background Papers</b>	A: Request for licence B: MOT history C: Photographs

#### 1. APPLICATION DETAILS

- 1.1 Vehicle first registered – 20 May 2014  
Age of vehicle, if granted - 10 years and 3 months

The vehicle no longer meets the Council’s licensing policy as it is over 5 years of age.

- 1.2 MOT expires – 4 July 2025 with no advisories.

- 1.3 Vehicle inspection passed on Depot on 12 August 2024 – without any advisories.

1.4 **Licensing Officer:**

Vehicle checked – 7 August 2024

Officer comments. The car is in very good condition for its age, with only a few minor scratches on the nearside and offside paintwork, bonnet and headlights.

Recommendation:

Whether to grant a licence or not. 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.*

- 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 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 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.

This page is intentionally left blank

**From:** Jagtar Singh <[REDACTED]>  
**Sent:** Wednesday, July 24, 2024 12:11 PM  
**To:** Ext Mail: Licensing <licensing@Teignbridge.gov.uk>  
**Subject:** 2024 Jul 24 - from Jagtar Singh - Request and photos

Good afternoon,

I would like to request the respected council to reconsider my application (FS-Case-632670835) in response to the council's refusal of my vehicle. I acknowledge that my automobile was registered in 2014, but other than that, it is in immaculate condition. There isn't any accidental damage to it. The car's exterior and interior are tidy and elegant. With 21,750 miles on it, the engine is in excellent condition. The vehicle is completely clean, according to the MOT. I'm willing to have my car examined by any inspection center/garage recommended by Teignbridge council to verify the reliability of vehicle as it running like new. This is 7 seater estate vehicle with huge space. And very comfortable seating.

I would like to respectfully request that the council grant me a one-year grace period to begin my work. I am very confident that I will be able to upgrade to the newest model this time, no more than five years old.

The pictures of my vehicle are attached.

Kind regards

Jagtar Singh

This page is intentionally left blank

## Check MOT history

This is a new service – [Complete a quick survey](https://www.smartsurvey.co.uk/s/GIZZX?vrm=RV14ELC&make_result=SSANGYONG&model_result=REXTON+EX&mot_first_used_date=2014-05-20&vehicle_age=3732&mot_expiry_date=2025-07-04&mot_expiry_date_days_left=331&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) (https://www.smartsurvey.co.uk/s/GIZZX?vrm=RV14ELC&make\_result=SSANGYONG&model\_result=REXTON+EX&mot\_first\_used\_date=2014-05-20&vehicle\_age=3732&mot\_expiry\_date=2025-07-04&mot\_expiry\_date\_days\_left=331&user\_satisfaction\_banner=0&vehicle\_data\_origin=MTS&vehicle\_type=LGV) to help us improve.

< [Back](#)

# RVI4 ELC

# SSANGYONG REXTON EX

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

Colour  
**Black**

Fuel type  
**Diesel**

Date registered  
**20 May 2014**

MOT valid until  
**4 July 2025**

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

[Download test certificates](/enter-document-reference?registration=RV14ELC) (/enter-document-reference?registration=RV14ELC)

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  
**5 July 2024**

Mileage  
**20,508 miles**

MOT test number  
**2690 0586 8963**

**PASS**

Test location

[View test location](#)

Expiry date  
**4 July 2025**

Date tested  
**3 July 2023**

Mileage  
**15,085 miles**

MOT test number  
**2430 6166 2266**

▶ [View test location](#)

Monitor and repair if necessary (advisories):

- **Nearside Front Tyre slightly damaged/cracking or perishing (5.2.3 (d) (ii))**
- **Offside Rear Tyre slightly damaged/cracking or perishing (5.2.3 (d) (ii))**
- **Front Brake pad(s) wearing thin (1.1.13 (a) (ii))**
- **Offside Brake pipe corroded, covered in grease or other material front to rear (1.1.11 (c))**

▶ [What are advisories?](#)

---

## 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).

---

## Check for vehicle recalls

See if SSANGYONG REXTON EX RV14ELC has outstanding recalls

⌵ [Show](#)

---

[Cookies](#) [Terms and conditions](#) [Privacy notice](#) [Accessibility statement](#)  
[MOT history API](#) [Service status](#)

Built by the [Driver & Vehicle Standards Agency](#)

### OGL

All content is available under the [Open Government Licence v3.0](#), except where otherwise stated

© [Crown copyright](#)















# Teignbridge District Council - Vehicle Inspection Sheet

Annual / 6 Monthly / 4 Monthly / MOT Committee

Hackney Carriage/Private Hire  
 Plate No NOT ISSUED

Owner MR Singh  
 Mileage 23058 No. Passengers 6

Date 12-08-24  
 Registration No RV14 ELC

	Pass	Fail	Re-Tested	Comments
<b>Steering and Suspension</b>				
1	Steering Control	/		
2	Steering Mechanism/System	/		
3	Power Steering	/		
4	Transmission Shaft	/		
5	Wheel Bearings	/		
6	Front Suspension	/		
7	Rear Suspension	/		
8	Shock Absorbers	/		
<b>Lighting Equipment</b>				
9	Front and Rear Lamps etc.	/		
10	Headlamps	/		
11	Headlamp Aim	/		
12	Stop Lamps	/		
13	Rear Reflectors	/		
14	Direction Indicators	/		
15	Hazard Lamps	/		
<b>Braking System</b>				
17	ABS Warning System/Controls	/		
18	Condition of Service Brake System	/		
19	Conditions of Parking Brake System	/		
20	Service Brake Performance	/		
21	Parking Brake Performance	/		
22	Efficiency - Footbrake <u>80</u> %	/		
23	Efficiency - Handbrake <u>30</u> %	/		
<b>Tyres &amp; Wheels</b>				
24	Tyre Type & Condition	/		
25	Road Wheels	/		
<b>General</b>				
26	Compliance with current MOT reqs.	/		
27	Seatbelts Mountings/Operation	/		
28	Horn	/		
29	Exhaust Systems	/		
30	Exhaust Emission (Printout)	/		
31	Vehicle Condition Interior	/		
32	Vehicle Condition Exterior	/		
33	Seat condition	/		
34	Luggage space	/		
35	Doors/Locks operational	/		
36	Mirrors & View of the road	/		Rear wiper blade deteriorated
37	Fuel System	/		
38	Speedometer operational	/		
39	Excise Licence/Date	/	off July 25	
40	Fire Extinguisher with Sticker	/		NO <del>gauge</del> Gauge on fire extinguisher
41	First Aid Kit with Sticker	/		
42	No Smoking Stickers	/		
43	Rooflight Operational	/		
44	Current MOT/Date	/	off July 25	
45	Meter Fitted & Tested	/		Meter slow to go up but working
46	Fuel & Oil Leaks	/		
47	Tariff Card Displayed	/	NOT ISSUED YET	
48	Livery Compliant	/		
49	Windows Operational	/		

<b>Brake Test Results</b>	
NSF <u>461</u>	OSF <u>467</u>
NSR <u>339</u>	OSR <u>343</u>
NSH <u>289</u>	OSH <u>307</u>
Brake Weight	<u>1985</u>
Emmission Test Value	<u>0.50</u>
Re-show Items	
Date due by	

### Certificate

I hereby certify that I have carried out the various examinations of the vehicle as scheduled and the vehicle has **PASSED / FAILED**  
 I have also checked the ~~gauge~~ meter over a prescribed distance and it is correct

Signed: \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Passed Re-Test: \_\_\_\_\_  
 Signed \_\_\_\_\_

Date 12-08-24

Date 12-08-24

634017452

This page is intentionally left blank



TEIGNBRIDGE DISTRICT COUNCIL

**LICENSING AND REGULATORY SUB-COMMITTEE**

CHAIR: Cllr Robert Hayes

**DATE:** 28 August 2024  
**REPORT OF:** Licensing Manager  
**SUBJECT:** **Application for a Variation of a Premises Licence –  
The Abbot, 16 East Street, Newton Abbot, TQ12 1AG**

**PART I**

**RECOMMENDATION**

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

**PART I**

**1. THE APPLICATION**

**Applicant: Mr Lee Williams and Mr Frank Wood**

**Premises: The Abbot, 16 East Street, Newton Abbot, TQ12 1AG**

The application is for the variation of the Premises Licence to be granted under the Licensing Act 2003 is to allow the same licensable activities as currently granted as set out below, these are not in questions it is the additional areas on the premises as stated below. Attached is a copy of the location plan and plan of premises (Appendix A).

Variation is to amend the plan to incorporate the following amendments to the current licence :

- a. Change upstairs kitchen to a karaoke room this requires licensing
- b. Remove back serving bar from inside and replace with more seating
- c. To change the rear storage area to an inside seating area at the back of the garden area
- d. To add an outside serving area/bar from a storage room in the outside area
- e. To licence the car parking area for future seating area.

The operating schedule shows:-

Hours Premises Open to the Public:

These have not changed.

## TEIGNBRIDGE DISTRICT COUNCIL

Relevant licensable activities:  
These have not changed.

Seasonal variation on all licensable activities  
These have not changed.

Designated premises supervisor: **Mr Roy Freer**

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

Steps to promote licensing objectives:

- General  
These have not changed.
- The prevention of crime and disorder  
These have not changed.
- Public safety  
These have not changed.
- The prevention of public nuisance  
These have not changed.
- The protection of children from harm  
These have not changed.

## 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.

## TEIGNBRIDGE DISTRICT COUNCIL

### Interested parties:

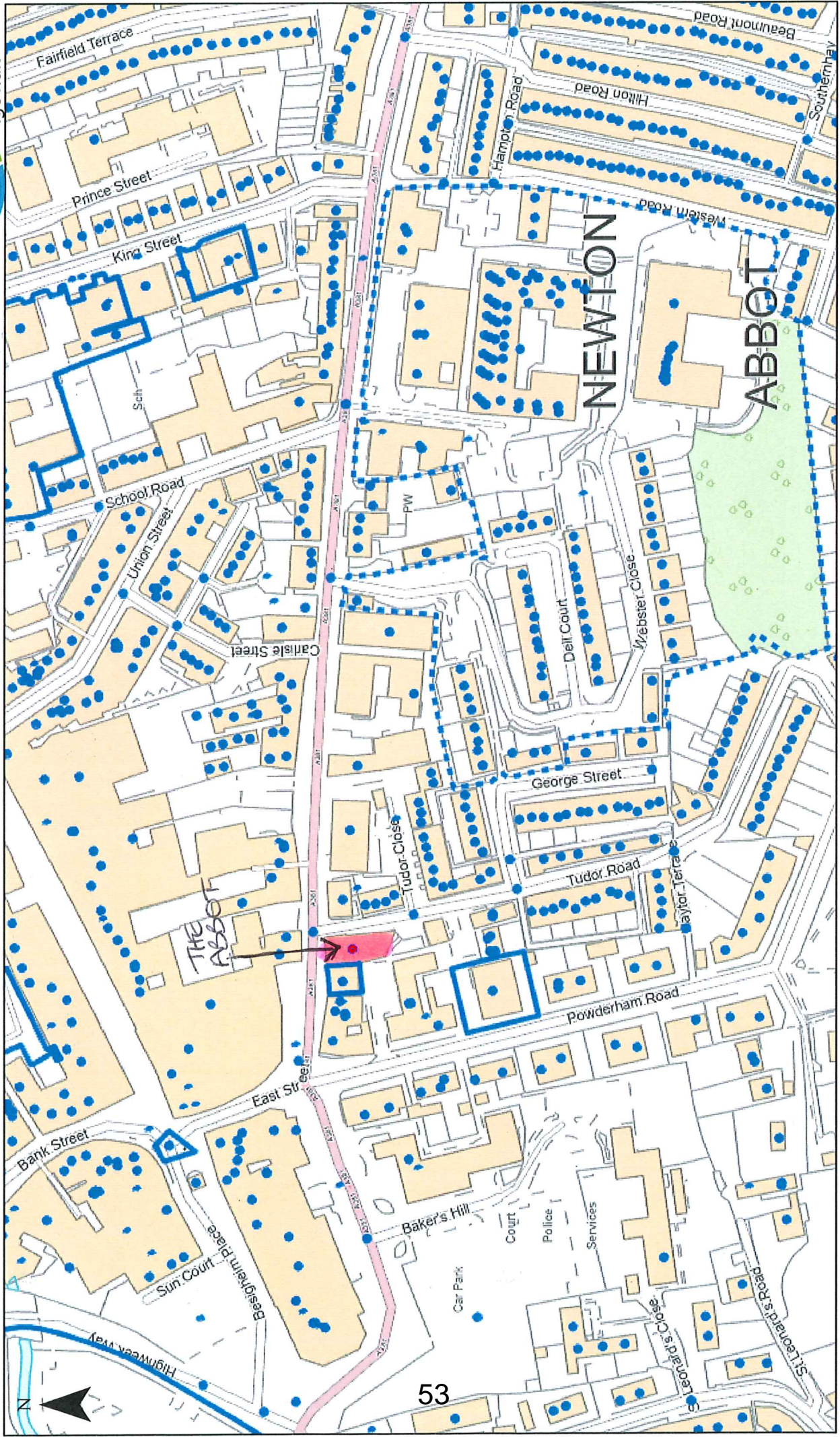
A representation has been received on the grounds of Public Nuisance.

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.

**Mrs Andrea Furness**  
**Licensing Manager**

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

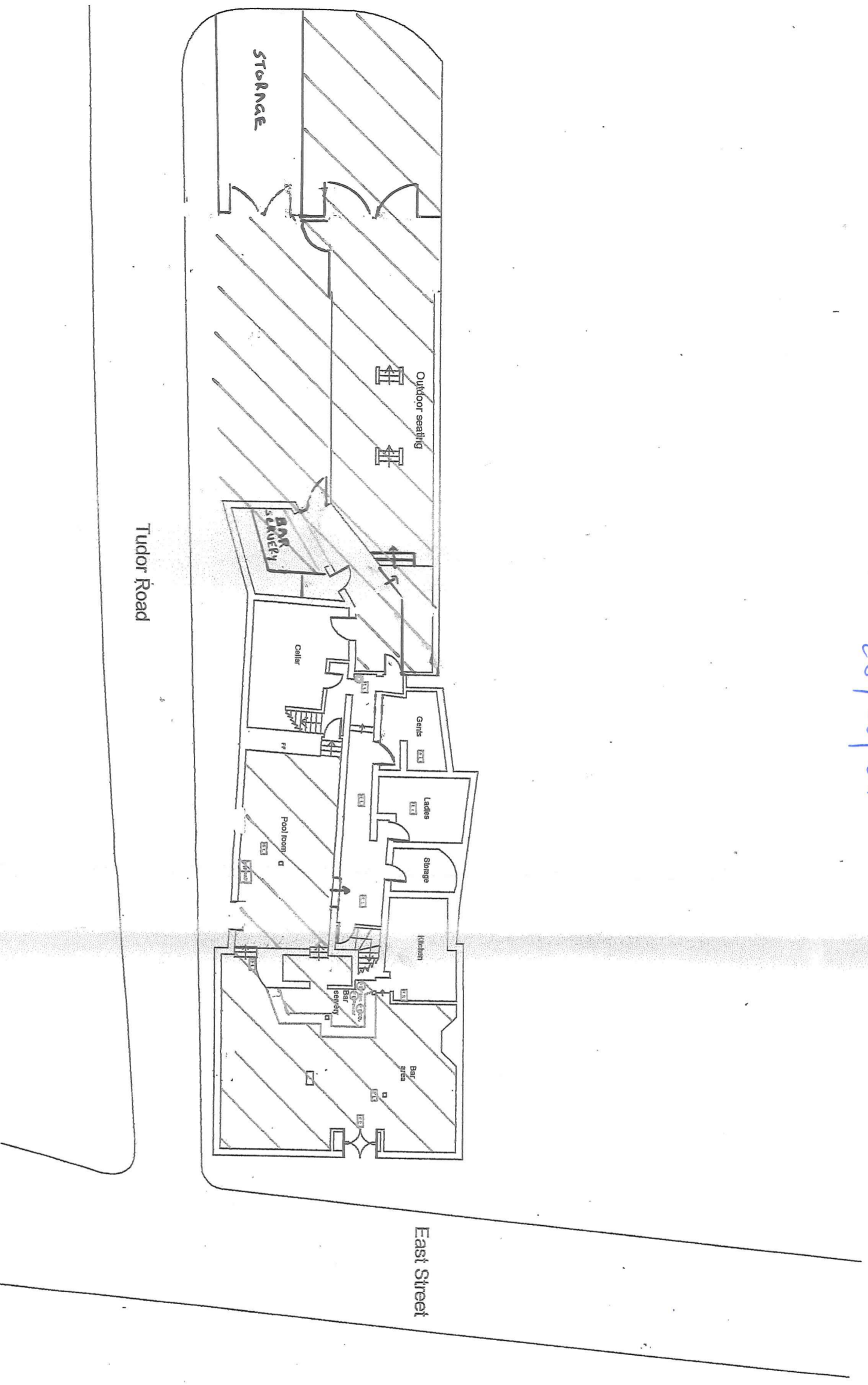
This page is intentionally left blank



Scale: 1:2,058  
0 0.03 0.05 0.1 mi  
0 0.04 0.08 0.16 km  
Map Tile: SX8571SE Full Reference: SX85984 71110

This page is intentionally left blank

NEW PLANS  
26/06/24



1st Floor Plan  
1:200

NB See also plan HT-050 (1)

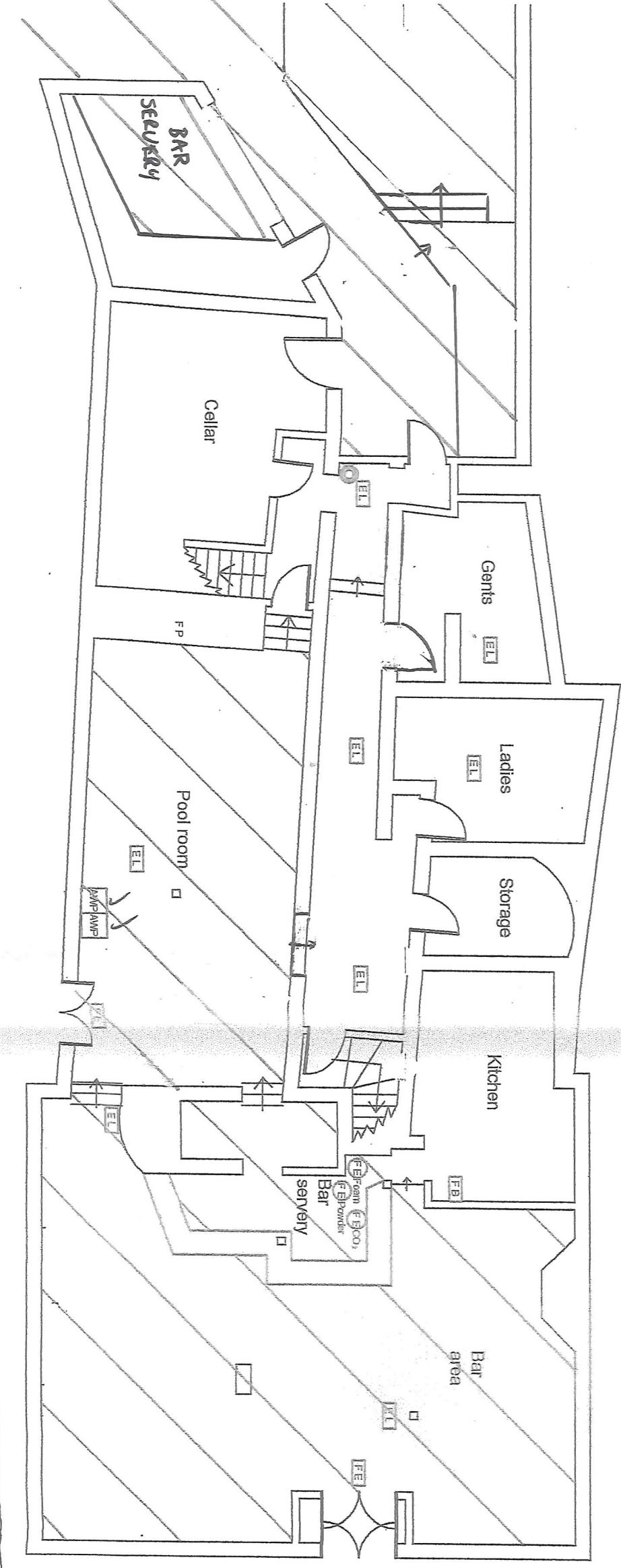
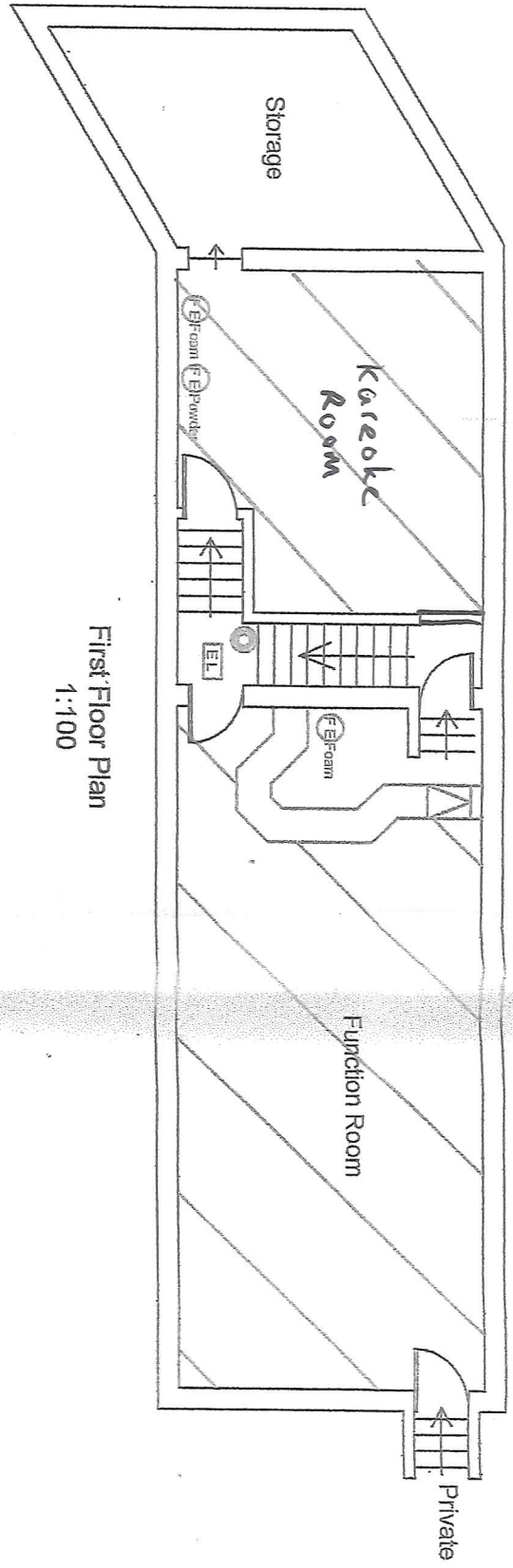
<p><b>CLIENT</b> <b>THE ABBOT</b></p>	<p><b>DRAWING TITLE</b> Plan for Licence Application</p>
<p><b>PUB NAME</b> <b>THE ABBOT</b> Newton Abbot</p>	<p><b>Licensed Activity</b> Area (M<sup>2</sup>) 160.0</p>
<p><b>DATE</b> June 05</p>	<p><b>Licensed External Drinking Area (M<sup>2</sup>)</b> 53.5</p>
<p><b>DWG No</b> HT-050 (2)</p>	<p><b>SCALE</b> 1:200</p>
<p><b>NOTES</b> No Additional Notes</p>	<p><b>CLIENT</b> <b>Chartered Surveyors</b> <b>Building Surveying - Quantity Surveying</b> <b>Building Engineers</b> 42, UPPER HIGH STREET THAME OXON OX9 2DW Tel: 01844 261222 Fax: 01844 261190 Email: <a href="mailto:surveying@petermorth-dtama.co.uk">surveying@petermorth-dtama.co.uk</a> Website: <a href="http://www.petermorth.co.uk">www.petermorth.co.uk</a></p>

This drawing and its contents are the copyright of Peter Morth and Partners Chartered Surveyors and may not be reproduced or transmitted in any form or by any means electronic, mechanical, photocopying, recording, or by any information storage and retrieval system without the prior written permission of Peter Morth and Partners. No liability will be accepted for amendments made by other persons. This drawing is for licensing purposes only and should not be used for any design or construction work.

This page is intentionally left blank



NEW PLANS  
26/06/24



Ground Floor Plan  
1:100  
NB See also plan HT-050 (2)

- DOOR
- BOILER
- FIRE EXIT
- EMERGENCY LIGHT
- DISTRIBUTION BOARD
- FIRE ALARM CALL POINT
- BELL SOUNDER
- SMOKE DETECTOR
- HEAT DETECTOR
- FIRE BLANKET
- FIRE EXTINGUISHER CO<sub>2</sub>
- FIRE EXTINGUISHER FOAM
- FIRE EXTINGUISHER WATER
- FIRE EXTINGUISHER POWDER
- SPRINKLER OUTLETS
- STEPS
- ARROWS ALWAYS SHOWN IN IN UP DIRECTION UNLESS OTHERWISE NOTED
- AMUSEMENT WITH PRIZES
- BAR FLAP
- PROPOSED LICENSED AREA

Chartered Surveyors  
Building Surveying - Quantity Surveying  
Building Engineers

42, UPPER HIGH STREET  
THAME  
OXON OX9 2DW  
Tel: 01844 281222  
Fax: 01844 281190  
Email: [surveying@peternorth-thame.co.uk](mailto:surveying@peternorth-thame.co.uk)  
Website: [www.peternorth.co.uk](http://www.peternorth.co.uk)

**CLIENT**  
**THE ABBOT**

**DRAWING TITLE**  
Plan for License Application

**PUB NAME**  
**THE ABBOT**  
Newton Abbot

**Licenseable Activity**  
Area (A/P)

160.0

**Licenseable External Drinking Area (A/P)**

63.5

**DATE**  
June 05

**SCALE**  
1:100

**DWG No**  
HT-050 (1)

**DRAWN**  
SF

**REV.**

**NOTES**  
No Additional Notes

This drawing and the works depicted are the copyright of Peter North and Partners Chartered Surveyors and may not be reproduced or amended in any form except by written permission. This drawing is for identifying purposes only and should not be used for any design or construction work.

This page is intentionally left blank

## Andrea Furness

---

**From:**  
**Sent:** 26 July 2024 22:00  
**To:** Ext Mail: Licensing  
**Subject:** 2024 Jul 26 - REP -

### Categories:

To whom it may concern,

I am writing regarding the application by Lee Williams and Frank Wood to vary the premise licence for The Abbot, 16 East Street, Newton Abbot.

Having lived on Tudor Road for 13 years, I have noticed a significant increase in noise levels from The Abbot since its rebrand from The Jolly Abbot a year ago. The thought of more than doubling the outside seating area and an outside bar concerns me regarding the noise, both of music/sport from the venue which already has a string tvs in the outside seating area, but also customers. Whilst I appreciate that the premise's address is East Street, all the outside space is on Tudor Road, which is a residential street with plenty of children, and the volume of big events they have shown, (like the recent Football Euros!) already keeps my children (and I'm sure others) awake.

The parking spaces there are nearly always in use; would they be able to get permits for the street? On-street parking is already at a premium and if the owners/staff were allowed to add to that, or parked on the pavement, that would be of great concern. Where would their rubbish be stored as the big red bin there is already regularly overflowing, and there would also be an uptick in rubbish and detritus from patrons; avoiding vomit puddles is already occasionally an occurrence, and obviously less than ideal! If the outside area had access via Tudor Road that would make navigating that already very narrow bit of pavement trickier.

I know that it is a tough time for pubs, but this scale of outside expansion on a residential street concerns me. The inside licensing of the karaoke room is understandable and doesn't have the same wider impact as the plans for more than doubling the outside licensed space.

Kind regards

Tudor Road  
Newton Abbot

This page is intentionally left blank

## 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.*
- 14.24 A cumulative impact assessment (CIA) may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.*
- 14.29 As noted above, there should be an evidential basis for the decision to publish a Cumulative Impact Assessment. 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 14.47.*

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.'*

**National guidance regarding licensing hours is as follows:-**

- '14.51 *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.*
- 14.52 *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:-**

- '14.14 *Statements of licensing policy should reflect the general principles regarding licence conditions set out in Chapter 1 of this guidance.*
- 14.65 *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. However, as set out in chapter 9, licensing committees and officers should consider discussions with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.*
- 14.66 *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. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. copy of any document checked or a clear copy of the online right to work check) is retained at the licensed premises. Licensing authorities may also wish to consider placing additional conditions on licences to safeguard patrons against spiking, if deemed appropriate and proportionate for a specific venue where there is evidence to justify such action (a definition of spiking can be found in para 2.7). 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.'*

APPENDIX A



## 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).