

LICENSING AND REGULATORY COMMITTEE

DATE: 14 October 2020

REPORT OF: Licensing Manager

SUBJECT: **Application for a New Premises Licence – Beefeater and Premier Inn, Brunswick Street, Teignmouth, TQ14 8AF**

PART I

RECOMMENDATION

That the Licensing and Regulatory Committee is requested to consider this application.

1. THE APPLICATION

Applicant: **Whitbread Group Plc**

Premises: **Beefeater and Premier Inn, Brunswick Street, Teignmouth, TQ14 8AF – these premises have not yet been built**

The application is for a Premises Licence to be granted under the Licensing Act 2003 is to allow regulated entertainment (Films, Indoor Sporting Events, Live and Recorded Music, Performance of Dance), Late Night Refreshment and Supply of Alcohol. Attached is a copy of the location plan and plan proposed are to be licensed. (Appendix A).

It is intended that the proposed premises will operate as a food led pub restaurant under the applicant's brand Beefeater with a linked Premier Inn with separate secure entrance lobby and hotel reception on the ground floor. Unlicensed hotel accommodation will be provided comprising of 68 rooms on the first and second floors. Detailed plans of the development are attached at Appendix A

The operating schedule shows:-

Hours Premises Open to the Public:

Monday to Sunday 0600hrs to 0100hrs

24 hours for hotel residents

Relevant licensable activities:

- Provision of regulated entertainment: Films, Indoor Sporting Events, Live and Recorded Music, Performance of Dance
- Provision of late night refreshment

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- Supply of alcohol.

Hours of licensable activities:

Films (Indoors)	Monday to Sunday	10am to half past Midnight
Indoor Sporting Events	Monday to Sunday	10am to half past Midnight
Live Music (Indoors)	Monday to Sunday	10am to half past Midnight
Recorded Music (Indoors)	Monday to Sunday	10am to half past Midnight
Performance of Dance (Indoors)	Monday to Sunday	10am to half past Midnight
Late Night Refreshment (Indoors and Outdoors)	Monday to Sunday	11pm to half past Midnight
Supply of Alcohol (On and Off the premises)	Monday to Sunday	10am to half past Midnight

Seasonal variation on all licensable activities

New Years Eve/Day 10am to half past Midnight on 2 January

Designated premises supervisor: **Jacqueline Ruth Allum**

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

Steps to promote licensing objectives:

- General

We have undertaken our own risk assessment to propose the following steps:

The steps which we have identified in relation to the four licensing objectives are listed below.

- The prevention of crime and disorder

1. The use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority. (reworded see Mediated amendments by Police)
2. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in the hotel bedrooms and in any external area provided for such purpose.
3. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
4. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
5. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years. (reworded see Mediated amendments by Police)
6. The management of the premises will liaise with police on issues of local concern or disorder.
7. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises. (reworded see Mediated amendments by Police)

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8. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.

- Public safety

No further risks have been identified which need to be addressed, save as below:

1. To comply with the reasonable requirements of the fire officer from time to time.
2. The premises will have adequate safety and fire-fighting equipment and such equipment will be maintained in good operational order.
3. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
4. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
5. Toughened glasses will be used in the premises where appropriate.
6. Fire Exits and means of escape shall be kept clear and in good operational condition.

- The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below:

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises. Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
3. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
4. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.

- The protection of children from harm

1. The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.
2. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
3. Children under the age of 16 shall not be permitted to enter the premises after 2100hrs unless dining with an adult or attending a pre booked function or resident in the hotel.
4. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
5. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
6. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage. (reworded see Mediated amendments by Police)

Mediated Amendments – Police

Prevention of Crime and Disorder – Points 1, 5 and 7

1. The use of Door Staff will be risk assessed on an ongoing basis by the Designated Premises Supervisor. Where engaged there will be a minimum of two Door Staff who shall be licensed by the Security industry authority.

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5. There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 21 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 21 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.

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

7. The premises shall install operate and maintain a comprehensive digital colour CCTV system.

With the exception of the toilets, all public areas of the licensed premises including entry and exit points will be covered, including any external licensed areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the licensed areas of the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 14 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the licensed part of the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

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Protection of Children from Harm – Point 6 (replicate Point 5 above)

6. There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 21 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 21 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:
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2. RELEVANT REPRESENTATIONS

Responsible authorities:

Police – no objection as conditions agreed.

Environmental Health Officer – Objection – Public Nuisance

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:

Two representations 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.

Andrea Furness
Licensing Manager

Wards affected	<i>Teignmouth East</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>

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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>