

TEIGNBRIDGE DISTRICT COUNCIL

LICENSING AND REGULATORY SUB-COMMITTEE

CHAIR: Cllr Robert Hayes

DATE: 30 September 2024

REPORT OF: Licensing Officer

SUBJECT: **Application for a New Premises Licence –
Baskervilles Ice Cream Parlour and Coffee Shop**

PART I

RECOMMENDATION

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

PART I

1. THE APPLICATION

Applicant: The Baskerville Estate Ltd

Premises: Baskervilles Ice Cream Parlour and Coffee Shop, 2-4 Ford Street,
Moretonhampstead TQ13 8LN

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

The operating schedule shows:

Hours Premises Open to the Public:

Monday to Saturday 9am to 11pm

Sunday 10am to 5pm

Relevant licensable activities:

- Supply of alcohol

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Hours of licensable activities:

Supply of Alcohol (on the premises)	Monday to Saturday	10am to 10.30pm
	Sunday	10am to 4.30pm

Seasonal variation on all licensable activities - none

Designated premises supervisor: Colette Lloyd

Supply of alcohol is for consumption on the premises.

Steps to promote licensing objectives:

- General
Designated Premises Supervisor nominated; sufficient number of staff will be on the premises to cover busy times, with regular training of staff.
- The Prevention of Crime and Disorder
The sale and supply of alcohol is for consumption on the premises only and shall be sold with the purchase of food.
- Public Safety
Public safety measures are demonstrated within our operating schedule, with the majority of these measures being contained within our Health & Safety policy and risk assessments, which also addresses Health & Safety at Work and Fire Safety legislation and the relevant technical standards.
- The Prevention of Public Nuisance
Achieved by creating an environment that controls any nuisance by training staff to increase their awareness and so that they can assess potential risks and work towards minimising any possible disturbance.
- The Protection of Children from Harm
There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be a photo driving licence, passport, or 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.

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Mediated Amendments – Police

The Prevention of Crime and Disorder

Staff Training – all staff engaged in licensable activity at the premises will receive training and information in relation to the following:

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

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

Training records will be retained for at least 12 months.

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

1. Any incidents of disorder or of a violent or anti-social nature.
2. All crimes reported to the venue, or by the venue to the Police.
3. All ejections of patrons.
4. Any complaints received.
5. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

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

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

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The Protection of Children from Harm

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

1. the date and time of refusal
2. the reason for refusal
3. details of the person refusing the sale
4. description of the customer
5. any other relevant observations.

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

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

2. RELEVANT REPRESENTATIONS

Responsible authorities:

Police – no objection, conditions agreed as above.

Environmental Health Officer – no representation received.

Fire Officer – no objection.

Planning Officer – no representation received. However, Dartmoor National Park Authority have advised that the most recent planning permission states that the business should only be open to, and used by, customers between the hours of 7.30am and 10pm Monday to Friday and 8am and 10pm Saturday and Sunday. This condition states that no outdoor dining or drinking shall take place between the hours of 9pm and 9am

Food and Safety - no representation received.

Child Protection Agency - no representation received.

Weights & Measures – no representation received.

Health Authority - no representation received.

Interested parties:

Nine 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.

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Report by: Debbie Rosenfeldt

Title: Licensing Officer

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