

1. Appointment of Chairman

2. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

3. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests; they may have in any items to be considered at this meeting;

4. Application for a variation to the premises licence at The Boathouse, 28-30 Island Street, Salcombe, TQ8 8DP

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Report to: **Licensing Sub-Committee**
Date: **25th April 2019**
Title: **Application for a variation to the premises licence at The Boathouse, 28-30 Island Street, Salcombe, TQ8 8DP**
Portfolio Area: **Customer First**
Wards Affected: **Salcombe**
Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained: **Y**

Author: **Naomi Stacey** Role: **Specialist – Licensing**

Contact: **01803 861268 / naomi.stacey@swdevon.gov.uk**

Recommendations:

That the Sub-Committee consider the application for a variation to the Premises Licence and make determinations in respect of this application, namely:

(a) to modify the conditions of the licence;

(b) to reject the whole or part of the application;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

The decision must be in line with the licensing objectives contained within the Licensing Act 2003.

1. Executive summary

- 1.1 The purpose of the Licensing Sub-Committee meeting is to determine an application for a variation to the Premises Licence at **The Boathouse, 28-30 Island Street, Salcombe, TQ8 8DP** in accordance with Section 35 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application from Salcombe Distilling Company Ltd for a variation to the Premises Licence on 6th March 2019. The purpose of the application is to include the outside courtyard on the licence plan, to enable the sale and consumption of alcohol in this area. A copy of the application and new plan is attached at **Appendix A**.
- 1.3 Two representations have been received during the consultation period (**Appendix C**) and therefore the application must be determined by the Licensing Sub-Committee.

2. Background

- 2.1 The premises is licensed for the sale of alcohol for consumption on and off the premises, a copy of the premises licence and current plan is at **Appendix B**. The premises consists of two areas:
 - Ground floor of front building (shop) which is licensed for off-sales only, Monday to Saturday from 9am to 6pm and Sunday from 10am to 6pm.
 - First floor of rear building (distillery and bar) which is licensed for on and off sales, Monday to Saturday from 9am to 11.30pm and Sunday from 10am to 11.30pm.
- 2.2 The application is to include the outside courtyard located between these two buildings on the licence plan, to allow both the sale of alcohol and consumption of alcohol in this area. The proposed area is shown in red on the plan at **Appendix A(ii)**. Marked on the plan are the two possible locations where a temporary bar would be sited, although the applicant has confirmed that only one bar would be present at any time.
- 2.3 The hours requested for the sale of alcohol from this location are Monday to Sunday between 12pm and 8pm, bringing the area out of use at 8.30pm. Additional conditions to address the licensing objectives have been proposed (**Appendix A(i)**). These include regular monitoring of the area and the removal of tables and chairs from the area at 8.30pm.
- 2.4 The courtyard area was used for the sale and consumption of alcohol during some town events in summer 2018, through the use of temporary event notices (TENs). The Licensing Department did not receive any complaints about these activities and is unaware of complaints received by other authorities.

- 2.5 The courtyard is located between the two currently licensed buildings. Photographs of the courtyard and the surrounding area are at **Appendix D**.
- 2.6 The premises is on Island Street in Salcombe, in close proximity to residential properties and to businesses, including other licensed premises. Plans showing the location of the premises are at **Appendix E**.
- 2.7 During the consultation period two representations were received, these were from Salcombe Town Council and a local District Councillor. Copies of the representations are attached at **Appendix C**.
- 2.8 The representation from the town council predominantly relates to concerns about noise from customers outside disturbing nearby residents, including noise being 'funnelled' from Island Street and affecting residents higher up the town. Also of concern is how the area will be monitored by staff and that customers may 'spill onto the street'.
- 2.9 The representation from the District Councillor is that the use of the proposed outside area as a car park, as is conditioned under the planning permission, would pose a risk to public safety should the area be used for sale and consumption of alcohol.
- 2.10 It should be emphasised that where a premises may not have the correct planning permission in place, this cannot be taken into consideration and used as a reason for a decision under the Licensing Act 2003. If there are planning breaches or changes to be made to planning conditions, these must be investigated separately. Applicants are always advised that they must ensure all relevant regulations are met prior to commencement of activities.
- 2.11 As relevant representations in respect of this application have been received, which have not been withdrawn and mediation has not been possible, the Licensing Sub-Committee acting on behalf of the Licensing Authority must make a determination on this application. When coming to a decision, the Licensing Sub-Committee must give consideration to the Council's Statement of Licensing Policy (the Policy) and Home Office guidance issued under Section 182 Licensing Act 2003 (revised April 2018).
- 2.12 Section 3.1 of the Policy states: The Licensing Authority has a duty under the Act to carry out its licensing functions with a view to promoting the four licensing objectives. (These objectives are the only matters to be taken into account in determining the application and any conditions attached must be appropriate to achieve the licensing objectives).
- 2.13 The four licensing objectives are:
- The prevention of crime and disorder

- Public safety
- The prevention of public nuisance
- The protection of children from harm

- 2.14 Section 3.2 of the Policy states: A licence (or club premises certificate) will only be granted where the Licensing Authority is satisfied that these objectives have been met.
- 2.15 Section 4.1 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.
- 2.16 The Guidance issued under Section 182 of the Licensing Act 2003 which was revised and re-published in April 2018 state: The Licensing Authority may not impose conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives (paragraph 10.8 of the guidance).
- 2.17 The following responsible authorities are statutory consultees under the Licensing Act 2003:
- Devon and Cornwall Police
 - Devon and Somerset Fire and Rescue Service
 - Devon Safeguarding Children’s Board
 - Devon County Council Trading Standards
 - Devon Drug and Alcohol Action Team, NHS Devon
 - South Hams District Council Planning Department
 - South Hams District Council Environmental Health (Health & Safety)
 - South Hams District Council Environmental Health (Pollution Control)
- 2.18 No representations have been received from any of the responsible authorities.
- 2.19 In addition to the above responsible authorities, any person may make a representation in relation to a premises licence application.

3. Outcomes/outputs

- 3.1 When determining an application for a premises licence, particularly when considering appropriate conditions and operating hours, the following sections of the Statement of Licensing Policy (the policy) and Section 182 Guidance (the guidance) are especially relevant:
- 3.2 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address

any disturbance anticipated as customers enter and leave.
(paragraph 2.19 of the guidance).

- 3.3 Section 6.1 & 6.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When the Authority's discretion is engaged, consideration will be given to the individual merits of an application but the presumption will be to grant the hours requested unless there are objections to those hours raised by Responsible Authorities or other persons on the basis of the licensing objectives. However, when dealing with licensing hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.4 Section 6.4 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it necessary, proportionate and reasonable to restrict the hours required. The Licensing Authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area.
- 3.5 Paragraph 10.14 of Guidance issued under Section 182 of the Licensing Act 2003 states: where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.7 Section 10.1 of the Policy states: The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited unless it is considered necessary to do so in order to protect them from harm.
- 3.9 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

4. Options available and consideration of risk

- 4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section

182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.

- 4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life. The South Hams relies on tourism, with the population in the district doubling in the summer months with holidaymakers both from this country and international visitors who are, in the main, families with young children and retired people – the very segment of society who would perhaps be deterred by anti-social behaviour. These, and any other relevant issues, may be explored at the hearing in so far as it reflects the four licensing objectives.
- 4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates' Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates' Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates' Court may make any costs order it thinks fit.
- 4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

5. Proposed Way Forward

- 5.1 That the Sub-Committee consider the application for a variation to the Premises Licence and make a determination in respect of this application, namely to:

- i) modify the conditions of the licence;
- ii) to reject the whole or part of the application;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

The decision must be in line with the licensing objectives contained within the Licensing Act 2003.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Licensing Act 2003 gives Licensing Authorities the responsibility for determining applications submitted under this provision. This is a statutory obligation.</p> <p>As there have been relevant representations in respect of this application which have not been resolved, this hearing must be held. Relevant representations are about the likely effect of the grant of the application on the promotion of the licensing objectives, by responsible authorities or any other person. The Licensing Sub-Committee must disregard any information or evidence not relevant to the licensing objectives.</p> <p>The Licensing Sub-Committee must consider this application in accordance with Section 4 of the Licensing Act 2003, which requires that licensing functions must be carried out with a view to promoting the four licensing objectives. The Licensing Authority must also have regard to its own licensing policy and the Secretary of State's guidance, but may depart from both if it has good reason to do so. Those reasons should be stated.</p> <p>The Act requires (Section 35) that in dealing with a variation to a premises licence application, the committee takes any of the following steps which are appropriate for the promotion of the licensing objectives:</p> <ul style="list-style-type: none"> (i) modify the conditions of the licence; ii) to reject the whole or part of the application; <p>The Sub-Committee must give its reasons for its decision to take any of these steps. Similarly, if the application is rejected, the Sub-Committee must give its reasons.</p> <p>The applicant or any person who has made relevant representations has the right to appeal a decision made by the Licensing Sub-Committee to the Magistrates' Court by virtue of Section 181 and Schedule 5 of Licensing Act 2003.</p> <p>On appeal, the Magistrates' Court may:</p> <ul style="list-style-type: none"> a) dismiss the appeal;

		<p>b) substitute for the decision appeal against another decision which could have been made by the Licensing authority;</p> <p>c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.</p>
Financial	N	There are no direct financial implications to the Council from this Report. However, should a decision be challenged this could result in the Council facing an appeal to the Magistrates Court with the risk of costs being awarded against the Council.
Risk	Y	<p>The Licensing Authority must follow strict legislation in accordance with the Licensing Act 2003 and adhere to the statutory instruments contained with the Act.</p> <p>All decisions must be taken in consideration of the four licensing objectives (section 2.12). These objectives are in place to give protection to the public from the potential negative impacts caused by licensed premises.</p> <p>Decisions may be appealed (see financial and legal/governance sections above).</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		Compliance with the Human Rights Act 1998 – Article 6: right to a fair trial.
Safeguarding		All decisions must take into consideration the ‘protection of children from harm’ licensing objective.
Community Safety, Crime and Disorder		Section 17 Crime and Disorder Act 1998 applies. Decisions made must relate to the four licensing objectives as detailed in section 2.12 of this report.
Health, Safety and Wellbeing		All decisions must take into consideration the four licensing objectives, including ‘public safety’ and ‘protection of children from harm’.
Other implications		

Supporting Information

Appendices:

Appendix A – variation application and proposed plan

Appendix B – current premises licence and plan

Appendix C – representations

Appendix D – photographs of courtyard and vicinity

Appendix E – location maps

Background Papers:

[under provisions of the Local Government Act 1972]

The Licensing Act 2003

Guidance issued under Section 182 of the Licensing Act 2003

South Hams District Council's Statement of Licensing Policy

Responses to Notices of Hearing

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	Yes/No

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Appendix A(i) - variation application

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/ We Salcombe Distilling Company LTD

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number SHPL0590
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 28-30 Island Street			
Post town	Salcombe	Postcode	TQ8 8DP

Telephone number at premises (if any)	01548 288 180
Non-domestic rateable value of premises	£ 12,000

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes

DD MM YYYY

If not, from what date do you want the variation to take effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

We would like to include the outside court yard space to the licence to enable a small amount of chairs and tables to be used for serving of drinks during the summer.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) **Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

Yes

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)
Tue			
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the <u>playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 5)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment <u>take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises		
				Off the premises		
Day	Start	Finish		Both	Y	
Mon	09:00	23:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6) In the top line is the current timings for the licence in the bar area and in the 2nd line is the proposed licence timings for the court yard space			
		12:00		20:00		
Tue	09:00	23:00				
		12:00		20:00		
Wed	09:00	23:00				
		12:00		20:00		
Thur	09:00	23:00		<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) Please note the change of hours described above (and sale of alcohol for consumption on and off the premises) only relate to 28 Island street and the court yard area. For the front of the building (30 Island Street) it will continue to only be open for sale of alcohol for consumption off site for reduced hours as follows: MONDAY - 09:00 - 18:00 TUESDAY - 09:00 - 18:00 WEDNESDAY - 09:00 - 18:00 THURSDAY - 09:00 - 18:00 FRIDAY - 09:00 - 18:00 SATURDAY - 09:00 - 18:00 SUNDAY - 10:00 - 18:00		
		12:00			20:00	
Fri	09:00	23:00				
		12:00			20:00	
Sat	09:00	23:00				
		12:00			20:00	
Sun	10:00	23:00				
		12:00			20:00	

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	09:00	23:30	
	12:00	20:30	
Tue	09:00	23:30	
	12:00	20:30	
Wed	09:00	23:30	
	12:00	20:30	
Thur	09:00	23:30	
	12:00	20:30	
Fri	09:00	23:30	
	12:00	20:30	
Sat	09:00	23:30	
	12:00	20:30	
Sun	10:00	23:30	
	12:00	20:30	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The front building (30 Island Street will continue to be open for the same reduced hours as per the existing licence as follows:

- MONDAY - 09:00 - 18:00
- TUESDAY - 09:00 - 18:00
- WEDNESDAY - 09:00 - 18:00
- THURSDAY - 09:00 - 18:00
- FRIDAY - 09:00 - 18:00
- SATURDAY - 09:00 - 18:00
- SUNDAY - 10:00 - 18:00

Please tick as appropriate

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

All steps to support the objectives below will continue as described in the current licence.

b) The prevention of crime and disorder

c) Public safety

We will monitor the courtyard area regularly to prevent any breakages which might occur due to build up of glass

d) The prevention of public nuisance

We will monitor the area regularly to prevent any disruption to other members of the public through noise or other means. We will ensure that the courtyard area is closed for use after the hours of 20:30 by removing all chairs and tables and storing them securely.

e) The protection of children from harm

Any person under the age of 18 shall be accompanied by a responsible adult from 6pm onwards.

Checklist:

Please tick to indicate agreement

I have made or enclosed payment of the fee; or
I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.

I have sent copies of this application and the plan to responsible authorities and others where applicable.

I understand that I must now advertise my application.

I have enclosed the premises licence or relevant part of it or explanation.

I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser

- gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.

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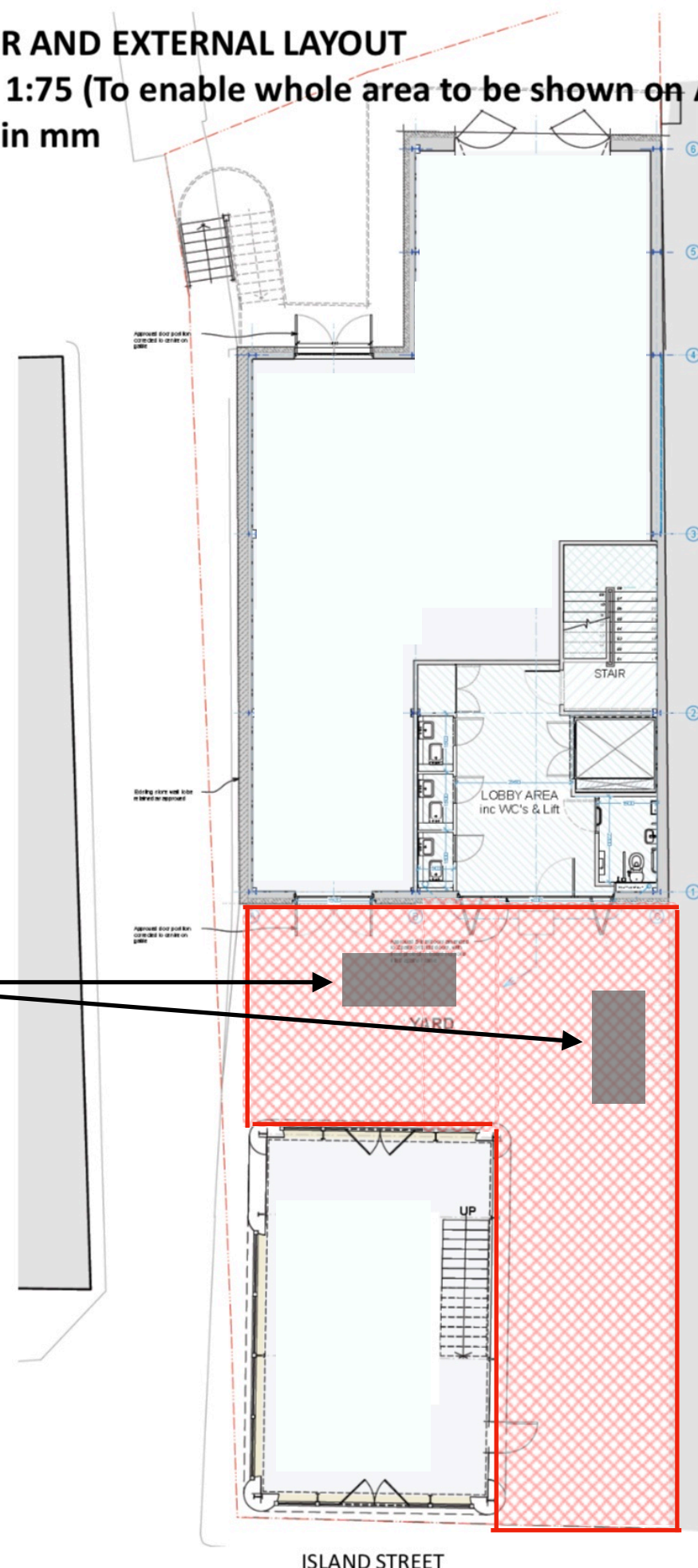
GROUND FLOOR AND EXTERNAL LAYOUT
SCALE APPROX 1:75 (To enable whole area to be shown on A4)
All dimensions in mm



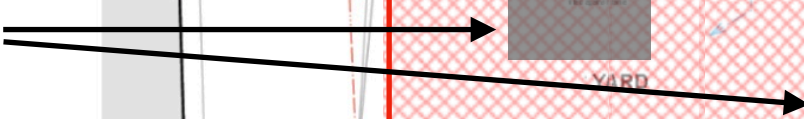
Area where alcohol can be consumed



Area outlining area where alcohol can be sold



Potential sites for a mobile bar



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Licensing Act 2003**Premises Licence**

Licence Valid From: 7 June 2017

SHPL0590**LOCAL AUTHORITY**

Licensing
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Part 1 - Premises Details**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****The Boathouse**

28-30 Island Street, Salcombe, Devon, TQ8 8DP

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Supply of Alcohol

THE OPENING HOURS OF THE PREMISES:

Main building	Mon 09:00-23:30 Tue 09:00-23:30 Wed 09:00-23:30 Thu 09:00-23:30 Fri 09:00-23:30 Sat 09:00-23:30 Sun 10:00-23:30
Front building	Mon 09:00-18:00 Tue 09:00-18:00 Wed 09:00-18:00 Thu 09:00-18:00 Fri 09:00-18:00 Sat 09:00-18:00 Sun 10:00-18:00

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Supply of Alcohol Main building	Mon 09:00-23:00 Tue 09:00-23:00 Wed 09:00-23:00 Thu 09:00-23:00 Fri 09:00-23:00 Sat 09:00-23:00 Sun 10:00-23:00
Supply of Alcohol Front building - off-sales only	Mon 09:00-18:00 Tue 09:00-18:00 Wed 09:00-18:00 Thu 09:00-18:00 Fri 09:00-18:00

Licensing Act 2003

Premises Licence

Licence Valid From: 7 June 2017

SHPL0590

Sat 09:00-18:00
Sun 10:00-18:00

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES

On and Off Premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Salcombe Distilling Company Ltd
The Boathouse, 28-30 Island Street, Salcombe, Devon, TQ8 8DP
01548 288180

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

09140632

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Howard Davies
[REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

ANNEXES

Annex 1 – Mandatory Conditions under the Licensing Act 2003

Mandatory Licensing Conditions - Pubs, Clubs & Restaurants from 1st October 2014

SUPPLY OF ALCOHOL

No supply of alcohol may be made under the premises licence:-

at a time when there is no designated premises supervisor in respect of the premises licence, or

at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

REGISTERED DOOR STAFF

Each individual carrying out a 'security activity' must be licensed by the Security Industry Authority other than in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

in respect of premises in relation to any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

For the purposes of this section “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and paragraph 8 (5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

MINIMUM PERMITTED PRICE FOR THE SALE OR SUPPLY OF ALCOHOL

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(a);

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(b).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

IRRESPONSIBLE PROMOTIONS

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for

consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti- social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

POTABLE WATER

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

AGE VERIFICATION

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

MINIMUM MEASURES

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

EXHIBITION OF FILMS

The admission of children to the exhibition of any film to be restricted to:

1. Where the film classification body is specified in the licence, unless subsection (2)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

2. Where

a) The film classification body is not specified in the licence, or

b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

3. In this section “children” means persons aged under 18; and “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the operating schedule

GENERAL

1. All staff responsible for alcohol sales must be suitably trained for their job function in the operating standards for the premises. The training must be under constant review having regard to newly employed staff.

2. All staff must be suitably trained in the operating procedures for refusing service to any person who is drunk or is under-age or appears to be under-age.

3. Training must be recorded in documentary form that must be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority.

4. All staff must be trained in the requirements of the Challenge 25 policy.

THE PREVENTION OF CRIME AND DISORDER

5. Alcohol sold for consumption off the premises must be supplied in sealed containers only.

6. Alcohol sold for consumption on the premises must be sold in glasses only (not in bottles), and with the exception of gin will be served in toughened glass vessels to reduce the risk of breakage and possibility of harm to the public.

7. CCTV system must be installed and operative at all times while the premises are trading. Recorded images must be retained for 31 days and made available to Police Officer on request, at any reasonable time. If the CCTV equipment is inoperative the Police and Licensing Authority must be informed as soon as possible and immediate steps must be taken to put the equipment back into action. A notice must be displayed at the entrance to the premises advising that CCTV is in operation.

8. Alcohol sold from the smaller building to the south of the premises must only be for consumption off the premises and restricted to bottles of gin only.

PUBLIC SAFETY

9. Glasses and litter must be removed from public areas as soon as they are finished with or empty.

10. Gangways, exit routes and steps must be maintained in good order with non-slippery and even surfaces.

THE PREVENTION OF PUBLIC NUISANCE

11. The handling of bottles and other similar items must not take place in the late evening, at night and during the early morning when the noise generated could cause a nuisance particularly outside buildings.

12. Deliveries and collections must also not take place during these times.

13. Any rubbish stored outside and produced by the premises awaiting collection for disposal must be stored securely in a designated area or in a bin with a tight fitting lid, to prevent litter being blown around.

14. Suitable signs at all relevant exits requesting that patrons make as little noise as possible when leaving the premises must be displayed.

15. Noise must not emanate from the premises to cause persons in the neighbourhood to be unreasonably disturbed.

THE PROTECTION OF CHILDREN FROM HARM

16. There must be a "Challenge 25" proof of age policy. Any person who appears to be under the age of 25 years will have to provide valid identification before they are permitted to purchase alcohol. The only forms of identification accepted are a valid Photo Driving Licence, Passport or recognised Pass Scheme ID.

17. Online/telephone orders: Any telephone or internet sales payments must be made through a credit card or similar by persons over the age of 18.

18. All deliveries must be made to a bona fide address.

19. When placing an order through the internet, the customer must be required to confirm that he/she is aged 18 years or over.

20. Alcohol that is dispatched from the premises must be clearly marked as having to be signed for on delivery by persons over the age of 18.

21. Any person under the age of 18 must be accompanied by a responsible adult from 18:00 onwards.

Annex 3 – Conditions attached after a hearing by the licensing authority

None

Annex 4 – Plans (as existing)



Ian Luscombe
Environmental Health Community of Practice Lead
On behalf of the Licensing Authority

Licensing Act 2003**Premises Licence Summary**

Licence Valid From: 7 June 2017

SHPL0590**LOCAL AUTHORITY**

Licensing
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Premises Details**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****The Boathouse**

28-30 Island Street, Salcombe, Devon, TQ8 8DP

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Supply of Alcohol

THE OPENING HOURS OF THE PREMISES:

Main building	Mon 09:00-23:30 Tue 09:00-23:30 Wed 09:00-23:30 Thu 09:00-23:30 Fri 09:00-23:30 Sat 09:00-23:30 Sun 10:00-23:30
Front building	Mon 09:00-18:00 Tue 09:00-18:00 Wed 09:00-18:00 Thu 09:00-18:00 Fri 09:00-18:00 Sat 09:00-18:00 Sun 10:00-18:00

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES:

Supply of Alcohol Main building	Mon 09:00-23:00 Tue 09:00-23:00 Wed 09:00-23:00 Thu 09:00-23:00 Fri 09:00-23:00 Sat 09:00-23:00 Sun 10:00-23:00
Supply of Alcohol Front building - off-sales only	Mon 09:00-18:00 Tue 09:00-18:00 Wed 09:00-18:00

Licensing Act 2003

Premises Licence Summary

SHPL0590

Licence Valid From: 7 June 2017

	Thu 09:00-18:00 Fri 09:00-18:00 Sat 09:00-18:00 Sun 10:00-18:00
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WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND/OR OFF PREMISES

On and Off Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Salcombe Distilling Company Ltd
The Boathouse, 28-30 Island Street, Salcombe, Devon, TQ8 8DP
01548 288180

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

09140632

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Howard Davies

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Any person under the age of 18 must be accompanied by a responsible adult from 18:00 onwards.

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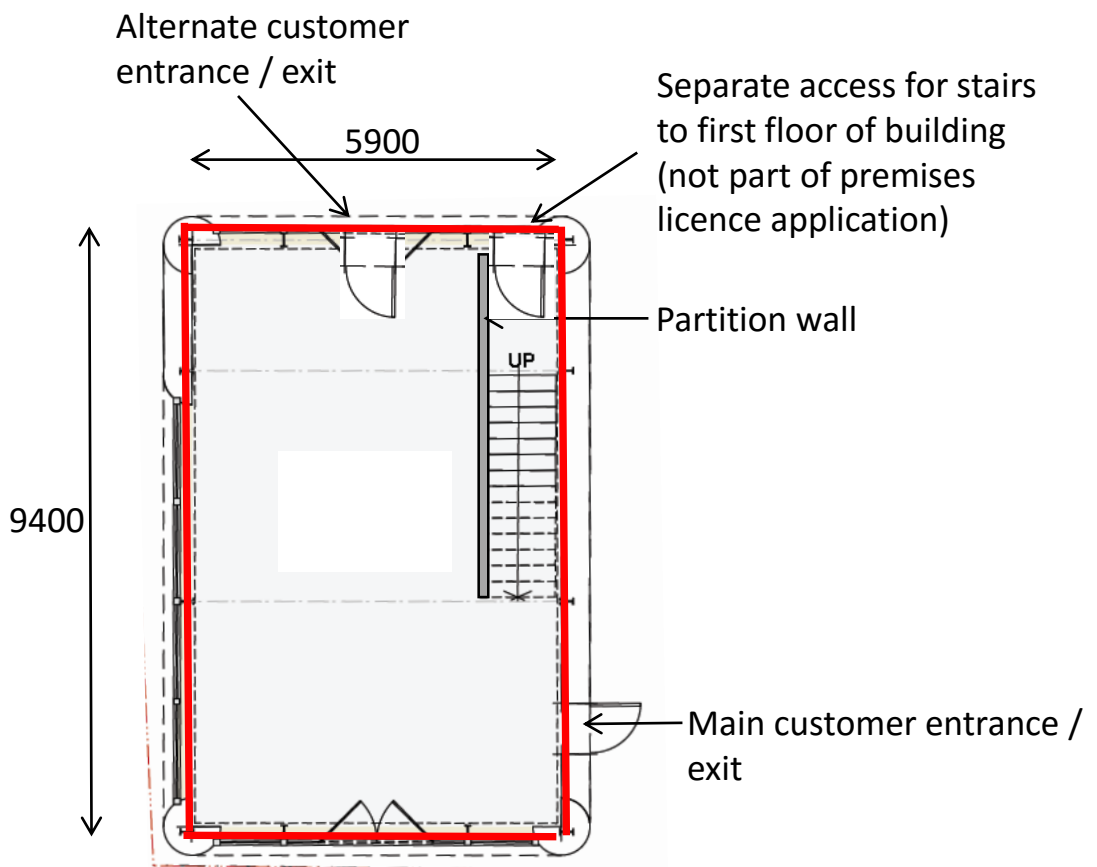
Appendix B(ii) - current plan

**FRONT BUILDING - 30 ISLAND STREET - GROUND FLOOR
ADDITIONAL BUILDING TO BE ADDED TO PREMISES LICENCE
THAT RELATES TO THIS LICENCE VARIATION APPLICATION
ALCOHOL SOLD IN THIS BUILDING FOR CONSUMPTION OFF
PREMISES ONLY**

Area for premises licence application shown in red

SCALE 1:100

All dimensions in mm



KEY



— Area for retail of alcohol
(for consumption off the premises)

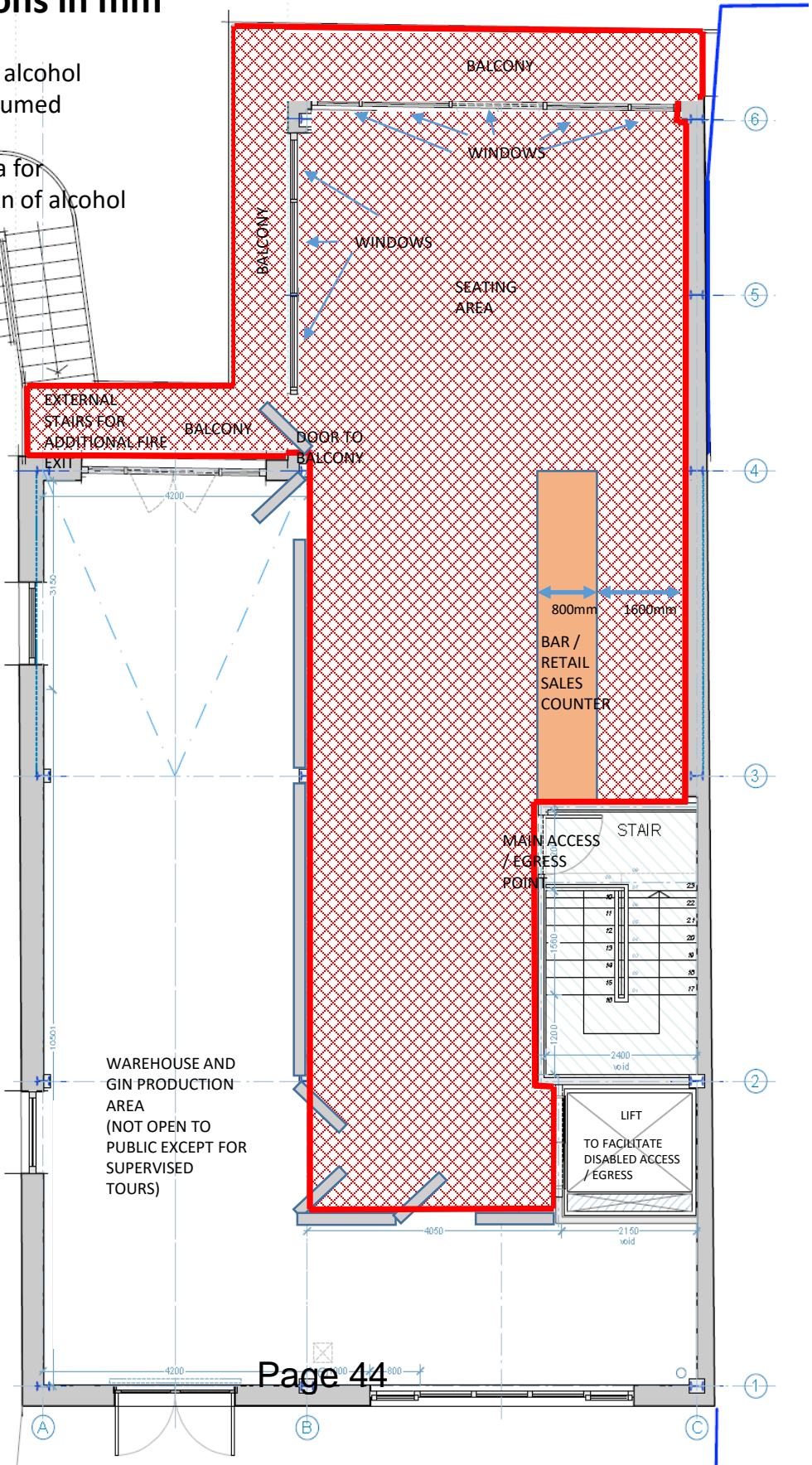
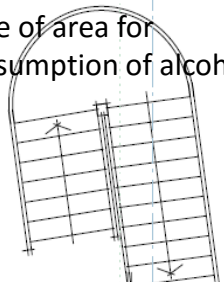
FIRST FLOOR LAYOUT IN REAR BUILDING – 28 ISLAND STREET (EXISTING LICENCE – UNCHANGED AS PART OF VARIATION)

SCALE 1:100

All dimensions in mm

KEY

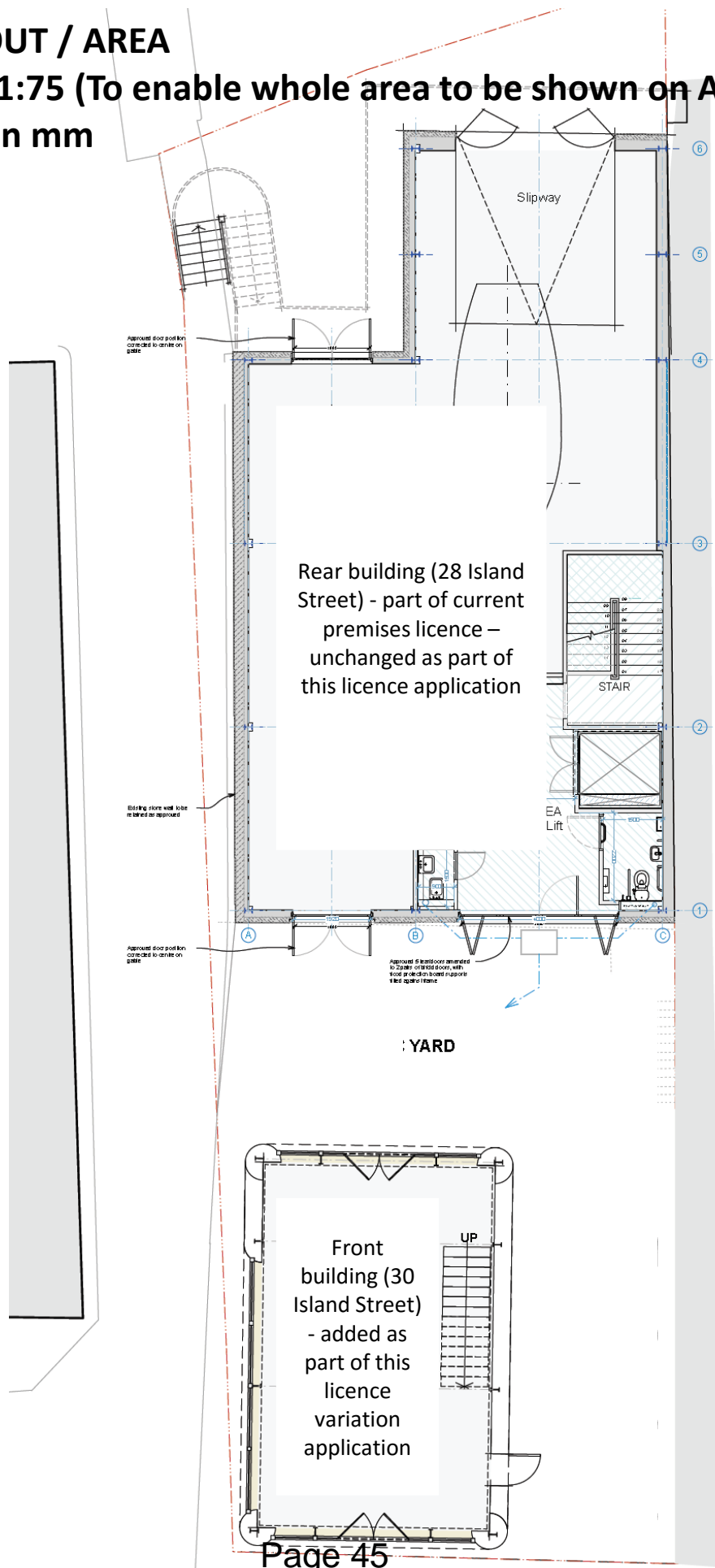
-  Area where alcohol can be consumed
-  Edge of area for consumption of alcohol



EXTERNAL LAYOUT / AREA

SCALE APPROX 1:75 (To enable whole area to be shown on A4)

All dimensions in mm



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Appendix C(i) - representation 1

Naomi Stacey

From: Town Clerk <townclerk@salcombetowncouncil.gov.uk>
Sent: 19 March 2019 12:19
To: Naomi Stacey
Cc: [REDACTED] Cllr S. Wright
Subject: RE: Variation to premises licence - The Boathouse, Salcombe

Dear All,

Following full council last week please find the response from the Minutes below:

Objection as this was a tasting bar not a pub. There was nowhere else along Island Street that had outdoor seating onto the road and this could spill onto the street and was situated in an area that echoed. Also there were steps to traverse down holding drinks in glasses. The staff would not be able to look down on this area to check and control and disturbance. This matter needed to be monitored as it was noted that this usage was already occurring last year.

Kindest.
Gilly

Naomi Stacey

From: Town Clerk <townclerk@salcombetowncouncil.gov.uk>
Sent: 28 March 2019 12:24
To: Naomi Stacey
Cc: [REDACTED] Cllr S. Wright; Tara OKeefe; [REDACTED]
Subject: RE: Variation to premises licence - The Boathouse, Salcombe

Dear Naomi,

Thank you for allowing Town Council to further consider this matter and respond.

Their objection still stands as it was felt that the further conditions did not satisfy the concerns. It was noted that a TENS licence was used last year during Crab Fest, to accommodate this kind of usage, but that was whole purpose of such a limited time licence as this community event would have brought a lot of noise near this area. However the majority of time it was a quiet area and if this licence was permitted it would cause disruption to the residential area on the other side of the road. Also from this location noise funnelled so it would not just be Island Street affected but higher up town.

Please could these comments be given serious consideration and taken into account by the licensing committee.

Kindest.
Gilly

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Appendix C(ii) - representation 2

Naomi Stacey

From: Cllr S. Wright
Sent: 03 April 2019 18:37
To: James Kershaw; Naomi Stacey
Subject: RE: Variation to premises licence - The Boathouse, Salcombe

Dear James,

I wish to object to this application on the grounds of public safety and the protection of children from harm. Planning Condition 8 clearly says "outside courtyard must be used as a car park and retained as such". I believe this would result in serious risk with the existing use of the space and the use being proposed in this application.

Kind regards,

Cllr Simon Wright
Deputy Leader
Executive Lead on Finance and Communications
South Hams District Council



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Appendix D – photographs of courtyard and vicinity









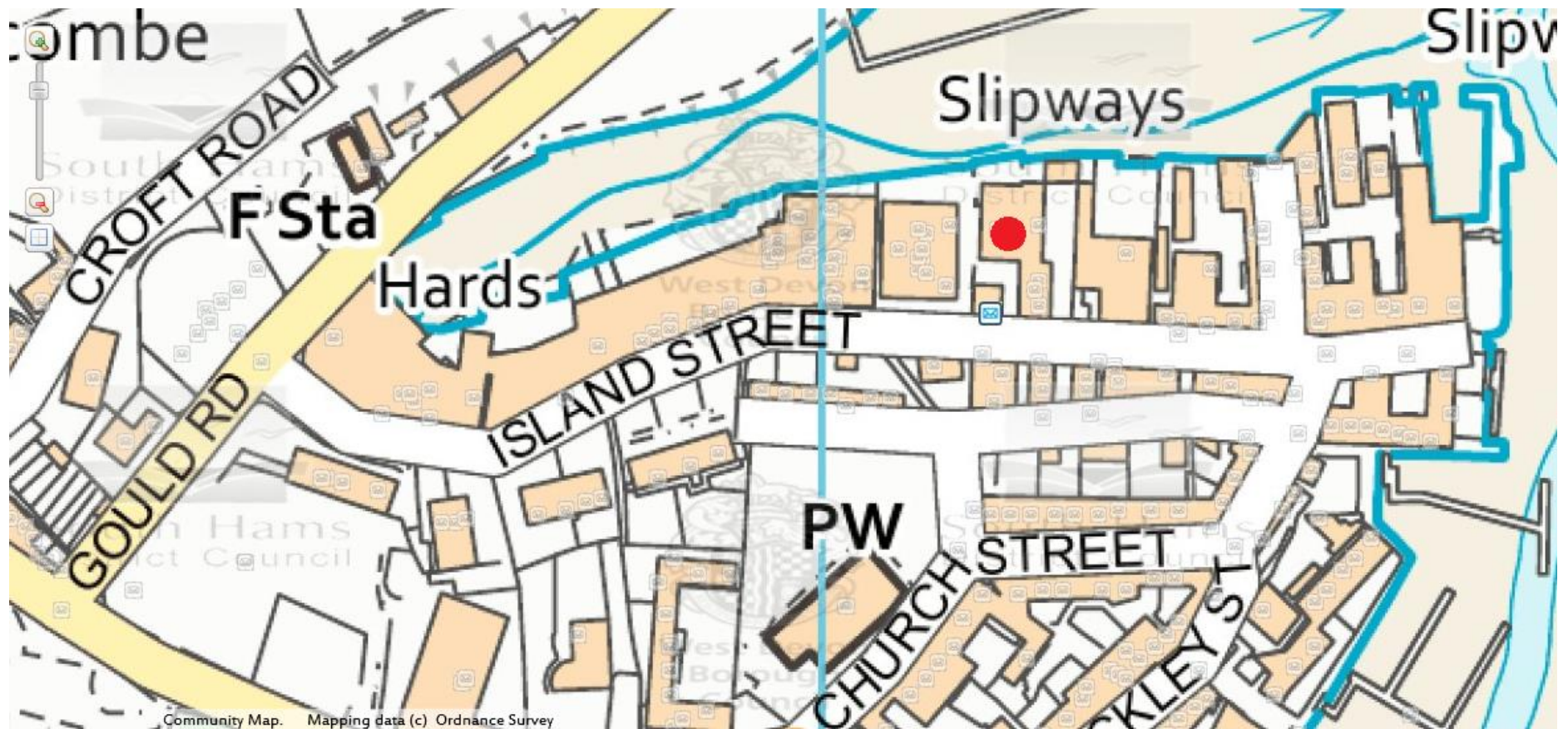


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Appendix E – maps showing location of premises



● The Boathouse



● The Boathouse