

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 to vary the Premises Licence of Morrisons Service Station, Station Road, Totnes

1 - 48

5. The following Application will not be considered before 2.00pm

49 - 98

Application to vary the Premises Licence of Morrisons, Coronation Road, Totnes

Agenda Item 4

Report to: **Licensing Sub-Committee**

Date: **12th August 2020**

Title: **Application to vary the Premises Licence of
Morrisons Service Station, Station Road,
Totnes**

Portfolio Area: **Customer First**

Wards Affected: **Totnes Town**

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 **Morrisons, Service Station, Station Road, Totnes, TQ9 5JR** in accordance with Section 35 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application from Wm Morrison Supermarkets Plc for a variation to the Premises Licence on 18th June 2020. The purpose of the application is to vary the hours for sale of alcohol from 6am to midnight (currently) to 24hrs. A copy of the application is attached at **Appendix A** and a copy of the current premises licence is at **Appendix B**.
- 1.3 Twenty 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 off the premises, Monday to Sunday from 6am to midnight and the provision of late night refreshment, Monday to Sunday from 11pm to 5am. The premises may open 24hrs. A copy of the premises licence and plan is at **Appendix B**.
- 2.2 The mandatory conditions under Annex 1 of the premises licence and the conditions relating to the licensing objectives under Annex 2 of the premises licence will remain in place should the application be granted, unless specifically removed by the Licensing Sub-Committee. The committee also have the power to include additional conditions if they believe appropriate to promote the licensing objectives. The applicant has not offered to include any further conditions within their operating schedule as part of this application.
- 2.3 Should the variation application be granted the premises licence would not supersede any planning restrictions in place at the premises.
- 2.4 Twenty representations in objection to this application were received during the consultation period from District Councillors, Totnes Town Council, local charitable organisations and local residents. Copies of their representations can be found at **Appendix C**.
- 2.5 The representations make reference to the 'prevention of crime and disorder', 'prevention of public nuisance' and 'protection of children from harm' licensing objectives and the potential impact that the extended hours for sale of alcohol may have on the local community. The main areas for concern relate to: anti-social and criminal behaviour linked to alcohol consumption; underage alcohol

sales; noise and disturbance; and litter. There is particular reference in many of the representations to the welfare of rough sleepers and other vulnerable persons within the town, should access to alcohol be available throughout the night.

- 2.6 The premises is located on the A385, the main road through Totnes. It is in close proximity to both residential properties and other businesses. It is also near to Borough Park, the skate park as well as the railway station. This has been raised in the representations as a risk due to the number of young and vulnerable persons that spend time in these locations.
- 2.7 There is also reference within the representations to 'public safety', although the reasons given are in fact in relation to 'public health'. 'Public health' in itself is not a licensing objective and therefore cannot be considered when determining a premises licence application. The Home Office guidance issued under Section 182 Licensing Act 2003 defines 'public safety' as concerning 'the safety of people using the relevant premises rather than public health which is addressed in other legislation.' It goes on to state that 'there will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act.'
- 2.8 Any reference within the representations to the 'need' for the additional hours for sale of alcohol or to the number of other outlets which sell alcohol within the town cannot be taken into consideration.
- 2.9 The premises licence was granted in June 2016 by the Licensing Sub-Committee. The original application was for 24hrs alcohol sales, but it was decided to restrict the hours for sale of alcohol to 6am to midnight to address the licensing objectives. The hours for late night refreshment and 24hrs opening were granted, in addition to several conditions relating the 'prevention of crime and disorder' as proposed by the Police and agreed with the applicant.
- 2.10 An application to vary the premises licence to allow 24hrs alcohol sales was received in January 2018. During the consultation period, the applicant agreed with the Police to include additional conditions relating to the use of a night hatch between midnight and 6am, as well as an agreement not to sell super strength beer, lager or cider above 6.5% ABV, apart from 'specialist branded premium priced products.' Due to other representations being received, the application was due to be considered by the Licensing Sub-Committee, but was withdrawn by the applicant prior to the hearing taking place.
- 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 (the 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 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.
- 3.4 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.
- 3.5 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.
- 3.6 Section 6.8 of the policy states: Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the

premises during the normal hours they intend to open for shopping purposes unless there are exceptional reasons relating to the licensing objectives, in particular the prevention of crime and disorder and public nuisance. This could be if an individual shop is known to be a focus of disorder and disturbance and relevant representations have been received. Another such reason may be a particularly early opening time, where there are reasons to believe that the availability of alcohol at that hour could impact adversely on the licensing objectives.

- 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.
- 3.8 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</p>

		<p>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> <p>(i) modify the conditions of the licence; ii) to reject the whole or part of the application;</p> <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> <ol style="list-style-type: none"> a) dismiss the appeal; b) substitute for the decision appeal against another decision which could have been made by the Licensing authority; c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.
Financial	N	<p>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.</p>
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 2.11). 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 2.11 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

Appendix B – current premises licence and plan

Appendix C – representations

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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South Hams
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@southhams.gov.uk
 Telephone: licensing@southhams.gov.uk

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	RJT/VHT/109500.11532	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
Are you an agent acting on behalf of the applicant? <input checked="" type="radio"/> Yes <input type="radio"/> No		Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name	Wm Morrison Supermarkets PLC	
* Family name	Wm Morrison Supermarkets PLC	
* E-mail	[REDACTED]	
Main telephone number	[REDACTED]	Include country code.
Other telephone number		
<input type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone		

Is the applicant:

<input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader <input type="radio"/> Applying as an individual	A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.
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Applicant Business

Is the applicant's business registered in the UK with Companies House?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Note: completing the Applicant Business section is optional in this form.
Registration number	00358949	
Business name	Wm Morrison Supermarkets PLC	If the applicant's business is registered, use its registered name.
VAT number	GB 343475355	Put "none" if the applicant is not registered for VAT.
Legal status	Public Limited Company	

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

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 to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

1. To vary the hours for the sale by retail of alcohol and opening to 0000 to 2400 hours Monday to Sunday inclusive.
2. To permit late night refreshment from 2300 to 0500 hours Monday to Sunday inclusive.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

Continued from previous page...

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

None.

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

As existing.

b) The prevention of crime and disorder

As existing.

c) Public safety

As existing.

d) The prevention of public nuisance

As existing.

e) The protection of children from harm

As existing. Page 20

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

635.00

DECLARATION

I/We understand that 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.

The information provided will be held securely by this Council in accordance with current Data Protection legislation. We must protect the public funds that we handle, so we may use the information provided to prevent and detect fraud. We

Continued from previous page...

* may also share this information with other organisations that handle public funds. Information provided may also be used to check the accuracy of records held elsewhere in the council. See www.southhams.gov.uk for further information.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-hams/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

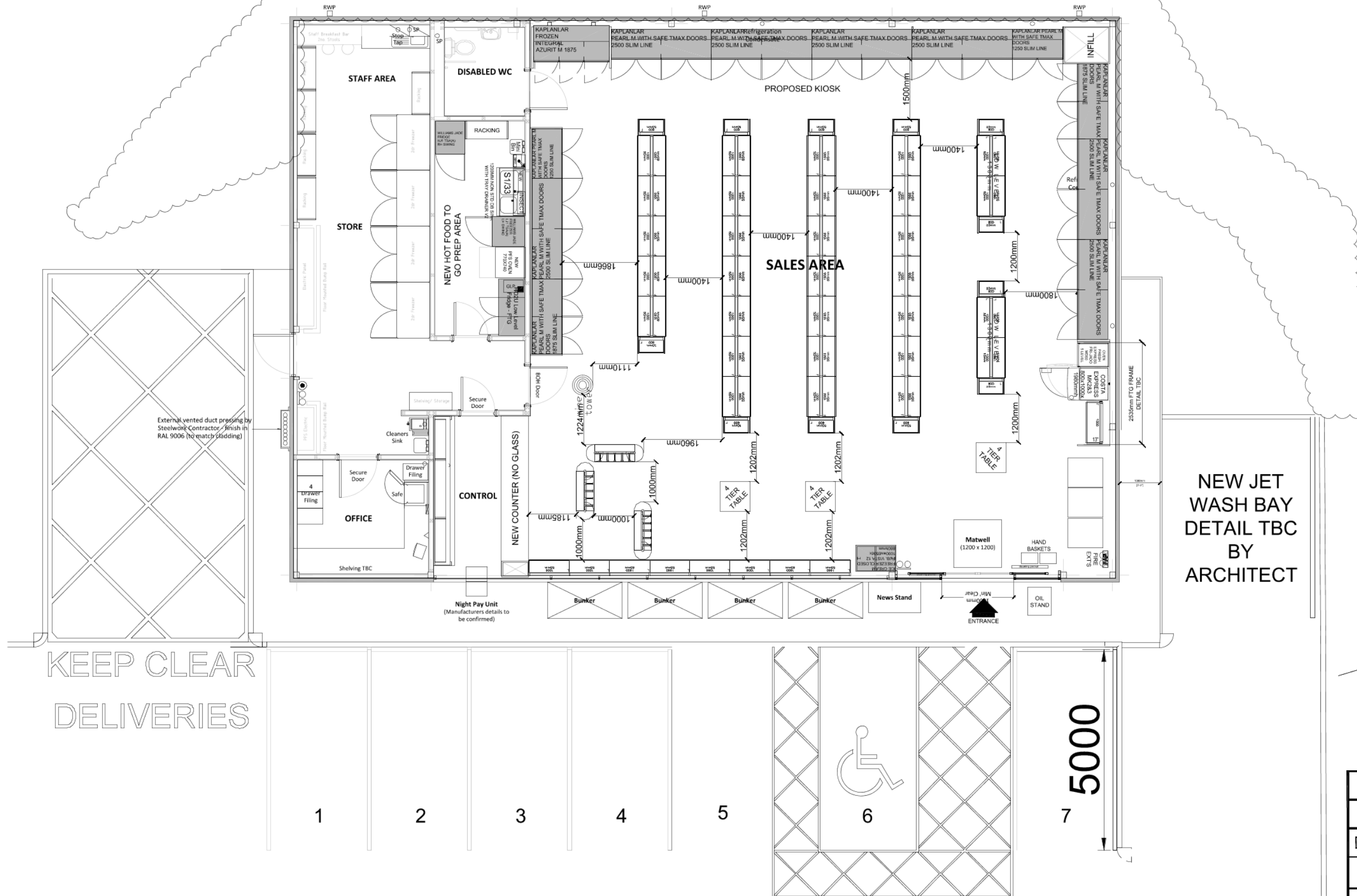
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ARCHITECT TO CONFIRM IF DENSE BUSHES CAN BE CUT BACK



NEW JET WASH BAY
DETAIL TBC
BY
ARCHITECT

1364 Totton	
1364/A/SK2/BWSL/003	
RETAIL SALES AREA	2274 sq. ft.
Scale: 1:100	only scaled on A3
Wm MORRISON SUPERMARKETS PLC Property & Development Division <small>Hinmore House, Goss Lane, Bradford BD3 7JL Tel: 0845 611 5000 Fax: 0845 611 6738 email: info@hmcproperty.co.uk</small>	

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Licensing Act 2003**Premises Licence**

Licence Valid From: 5 June 2020

SHPL0593**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****Morrisons Service Station**

Morrisons Service Station, Station Road, Totnes, Devon, TQ9 5JR

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Late Night Refreshment
Supply of Alcohol

THE OPENING HOURS OF THE PREMISES:

Opening hours Monday to Sunday 24 hrs per day.

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

Late Night Refreshment	Mon 23:00-05:00 Tue 23:00-05:00 Wed 23:00-05:00 Thu 23:00-05:00 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-05:00
Supply of Alcohol	Mon 06:00-00:00 Tue 06:00-00:00 Wed 06:00-00:00 Thu 06:00-00:00 Fri 06:00-00:00 Sat 06:00-00:00 Sun 06:00-00:00

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

Off Premises

Part 2

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

Morrisons
Hilmore House, Gain Lane, Bradford, Yorkshire, BD3 7DL

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

00358949

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

Mr Ben Cooper

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

Licence Number: PA2995

Issued By: Torbay

ANNEXES

Annex 1 - Mandatory Conditions

SUPPLY OF ALCOHOL

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

1. at a time when there is no designated premises supervisor in respect of the premises licence, or
 2. at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspended.
3. 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

1. 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
2. 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
3. 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.

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.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

GENERAL

All staff engaged in the sale of alcohol must be trained in accordance with the premises licence holder's training procedures.

THE PREVENTION OF CRIME AND DISORDER

All staff engaged in the sale of alcohol must receive suitable training (including refresher training) in relation to the proof of age "Challenge 25" scheme to be applied on the premises. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card, Military ID and any other locally or nationally approved form of identification.

CCTV must be provided on the premises and must be kept in good working order.

All checkout operators must operate a refusal log.

PUBLIC SAFETY

The premises licence holder must undertake ongoing risk assessments in order to comply with Health & Safety Legislation.

THE PREVENTION OF PUBLIC NUISANCE

The premises must be responsibly managed and supervised.

THE PROTECTION OF CHILDREN FROM HARM

All staff engaged in the sale of alcohol must receive suitable training (including refresher training) in relation to the proof of age "Challenge 25" scheme to be applied on the premises. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card, Military ID and any other locally or nationally approved form of identification.

Till prompts must be in use at the store.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

THE PREVENTION OF CRIME AND DISORDER

The CCTV system must maintain the quality of the recorded image and display, on any recording, the correct time and date of the recording.

The CCTV system must be maintained so as to be fully operational throughout the hours that the premises are open for any licensable activity.

All spirits must be located behind the counter and must be sold by counter servers only.

Alcohol displayed within the premises must be located so that staff can view these displays at all times.

Single cans of alcohol must not be sold from the premises.

There must be no alcohol displayed within 2 metres of the store entrance save for spirits displayed behind the counter.

ANNEX 4 – PLANS (AS EXISTING)



Ian Luscombe
Head of Environmental Health Practice
On behalf of the Licensing Authority **Page 30**

Licensing Act 2003

Premises Licence Summary

Licence Valid From: 5 June 2020 5 June 2020

SHPL0593

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

Morrisons Service Station

Morrisons Service Station, Station Road, Totnes, Devon, TQ9 5JR

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not Applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Late Night Refreshment
Supply of Alcohol

THE OPENING HOURS OF THE PREMISES:

Opening hours Monday to Sunday 24 hrs per day.

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

Late Night Refreshment	Mon 23:00-05:00 Tue 23:00-05:00 Wed 23:00-05:00 Thu 23:00-05:00 Fri 23:00-05:00 Sat 23:00-05:00 Sun 23:00-05:00
Supply of Alcohol	Mon 06:00-00:00 Tue 06:00-00:00 Wed 06:00-00:00 Thu 06:00-00:00 Fri 06:00-00:00 Sat 06:00-00:00 Sun 06:00-00:00

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

Off Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Morrisons
Hilmore House, Gain Lane, Bradford, Yorkshire, B8 7JL

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

00358949

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

Mr Ben Cooper

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

There are no restrictions on children.

Appendix C - representations

1.



Wed 24/06/2020 10:30

[Redacted]
Application for extension of Morrisons opening hours.

To SW-Licensing

I wish to formally object to the proposed application of extended 24hr opening for the Morrisons supermarket in Totnes and also the garage.

I am particularly concerned about the sale of alcohol.

I do not object to the sale of food or fuel.

I do not want to see a rise in alcohol related crimes and issues particularly for the more vulnerable members of our town. This includes those with mental health issues and young people some of whom will be under age drinkers.




I have been a member of the Street Pastor team for the last 5years in Totnes so I am aware of some of the issues that arise due to the purchase of alcohol particularly in the evenings.

I hope you will take my objection and concerns seriously when making any decisions about this application.

Thank you

[Redacted signature block]

2.

  SW-Licensing 24/06/2020
Objection to extension of licensing
 You replied to this message on 24/06/2020 10:42. ▼

I would like to object to the proposed increase in licensing hours at Morrisons Petrol Station, Totnes to 24hours. I gather there may also be a similar proposal for the supermarket itself.

There is absolutely no benefit to the people of Totnes by this proposal and there are several negative aspects.




Increased likelihood of anti-social drinking. This is already a problem in Totnes, and efforts have been made in recent years to decrease this. Increased availability of alcohol will make the issue worse again and encourage street people to be out and about late at night causing a public nuisance

It increases the risk to the young people of the town. As a school governor I am aware that there is a problem of under-age drinking. Teenagers do hang around Morrisons supermarket on some evenings and manage to obtain alcohol. The increasing of hours of supply late into the night, increases the possibility of teens obtaining alcohol, and would encourage more of them to stay out late at night. This is a risk in itself, without the added risk of alcohol.

Yours sincerely




3.

 Thu 25/06/2020 08:18

Objection to extending the times available to buy alcohol
To SW-Licensing
 You replied to this message on 25/06/2020 09:53.

Dear Sirs or Madam

I am very concerned about Morrison's wanting to extend the time they can sell alcohol especially at the petrol station.

This will allow alcohol buying in the early hours of the morning which can certainly be a time when people who have problems with alcohol will find it difficult not to purchase more if they can and some of these people might be drivers of cars.

I am really concerned that there will be increased danger to public safety on the roads and possibly more social disturbances, because of this I would like to object to these applications.

Yours sincerely



4.




[Redacted]

SW-Licensing

25/06/2020

Morrisons Totnes filling station licensing application

 You replied to this message on 24/07/2020 14:02.

Dear Licensing Committee

I understand that Morrisons petrol station is applying to extend its licensing hours from 6:00 - 21:00 to 0.00 - 24.00.

This would be disastrous, in my opinion, and completely at odds with all four Statutory Licensing Objectives.

1. The scope for crime and disorder would be much greater considering the fact that the people who would frequent the premises during the extra hours are likely to be drunk or desperate for alcohol, and the nearby expanse of grass and shrubs is an invitation for those customers to use it as a meeting place for drinking and possibly drug-taking.
 2. Public safety would be compromised by the above and there's also the danger of needles and broken glass being left in the grass. The safety of staff working at the filling station would also be jeopardised, increasing the workload of local police.
 3. Public nuisance is a further issue: More cars and fumes, more light-pollution, noise, general mayhem. And there's a hospital very close by where patients would be trying to sleep, as would local residents who live right behind the premises. Furthermore, increased litter would turn an attractive green space into an eyesore.
 4. All the above could adversely affect children, from discarded needles to disturbed sleep and maybe an increase in alcohol consumption by older and vulnerable family members.
- The scheme would be of no benefit whatsoever to our town and its impact would be 100% negative.

Yours sincerely,

[Redacted signature]


5.



Tue 30/06/2020 09:24

FW: Objection to extension of licensing

To SW-Licensing

 You replied to this message on 24/07/2020 14:06.

We would like to object to the application from Wm Morrison Supermarkets PLC for Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF for a variation to a premises licence below: *To vary the hours for the sale by retail of alcohol and opening to 0000 to 2400 hours Monday to Sunday inclusive. To permit late night refreshment from 2300 to 0500 hours Monday to Sunday inclusive.*

Street Pastors support the night-time economy most Fridays between the hours of 9.30pm to 1am. We meet people who often have had too much to drink and have made themselves vulnerable or aggressive. Shop windows have been damaged. We have on CCTV the window of the museum being broken, the perpetrators being quite clearly very drunk. We also meet young people, who whilst they are polite in their interactions with us, have drunk more than they should and very often from high alcohol spirits.

We often notice too, groups of youngsters gathering outside Morrisons, often mixing with those coming out having just purchased alcohol.

As a town we are concerned about alcohol misuse and feel that extended hours will just make it impossible for people to make sensible choices re consumption and make it so much easier for unscrupulous people to exploit the situation and indeed prove too much of an easy temptation for our young people. We picked up **236 discarded bottles and cans in 2019**. We collect many of the bottles and cans from Borough Park where we meet the young people. A lot of the bottles were for spirits – notably vodka.

There is also a public health and hygiene issue. We notice regularly the difficulty experienced by those enjoying the night-time economy in accessing toilets, leading persons of both sexes to resort to urinating in public areas. All-night access to drink – whether alcoholic or not – would greatly increase this burden, both on the night-time visitors and on the local authority cleaning the morning after.

Each of the 4 following objections come into play with this application: Prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm.

The Management Team of Totnes Street Pastors, part of Caring Town



8.



Variation Application - Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF

Tara O'Keefe

03/07/2020

Dear Ms. O'Keefe

I wish to register a formal objection to the Variation Application by Morrisons Daily Petrol Filling Station, Station Road, Totnes TQ9 5LF to vary the hours for the sale of alcohol.

I live only a few hundred yards from the petrol station. Already in the town centre we have problems with people misbehaving themselves late at night owing to drunkenness. To give them further opportunities for buying alcohol can only serve to increase even more the problems of criminal and disorderly behaviour in the town. I am particularly concerned about the effect on young people, who have not yet learned to drink sensibly and who may come to harm through drinking to excess. In my view there is no need for this variation, as there are already plenty of opportunities in the town for those who wish to buy alcohol during normal hours.

Yours sincerely,

[Redacted signature]

9.

Ref: Variation to a premises licence application from WM Morrison Supermarkets PLC for Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF

To vary the hours for the sale by retail of alcohol and opening to 0000 to 2400 from Monday to Sunday inclusive

To permit late night refreshment from 23.00 to 0500 hours Monday to Sunday inclusive

Principal Grounds for Objection

1. Protection of children from harm
2. Prevention of public nuisance

Substance of the objection

I am writing as a representative of "Caring Town", a project unique to Totnes, and convenor and chair of our two working groups which are relevant to this application. The two groups are concerned with the safeguarding of young people "**Keeping Young Totnes Safe**" and the second is concerned with the **rough sleepers and street people in Totnes**.

We wish to lodge **an objection** to the extension of the alcohol licence to Morrison's garage from 0000 to 2400 and the sale of late-night refreshment from 2300-0500

Our objections are based on the **proximity of Morrisons filling station to the skate park inside Borough Park and to the Railway station** because:

- These are known areas of concern with regards to the consumption of alcohol and drugs by young people from the age of 11 upwards and the potential for County lines to spread to Totnes via the station, a concern which we were informed about at a recent meeting.

- We are aware that, however vigilant the retailer may be, the purchasing of alcohol by those over 18 for those younger is common practice. As the garage is so close to the park this will be considerably easier at any time day or night. This we believe will encourage longer drinking hours thus increasing the vulnerability of our community of young people.
- If the licence is granted, we anticipate that even more young people and others will congregate in this area, particularly at weekends, and increase the public nuisance that we can already evidence through drug and alcohol debris and intimidating behaviour

Why does this matter?

We believe that this will not support the safeguarding of our young people

We believe that the granting of this licence would undermine the proactive, preventative work we have been engaged in over the past 5+ years to protect children from harm

Who are we and what are our relevant activities?

Amongst many other initiatives **Caring Town** convenes two multi agency working groups: “**Keeping Young Totnes Safe**” and “**Addressing the needs of rough sleepers and street people**”.

The two groups have representation from: the NHS, Public health, churches, town and district councils, Drug and Alcohol Services for young people and adults, schools, local children’s centres, the Totnes Community Hub, Street pastors, the CAB and several local charities and organisations.

Each group shares the same purpose which include ensuring strong lines of communication and the sharing of local knowledge. We are proactive in seeking new approaches and solutions to support the most vulnerable in our community. Agencies and groups attend voluntarily to gain added value over the normal channels of communication.

How will the granting of this licence undermine our work?

Young people are vulnerable to peer pressure. We believe that extending licensing hours could increase that vulnerability and potentially cause harm.

We believe that sending the message out that alcohol is now available 24 hours a day in Totnes goes counter to the work we have been doing which includes:

- The acquisition of drug and alcohol support services in Totnes, there were none before
- Public information sessions
- A comprehensive survey of young people’s attitudes and behaviours re alcohol and drugs, followed up by the establishment of a “youth can make a difference” forum to engage the voice of young people
- Improved communications between agencies and community groups to address common challenges in this area of concern
- Campaign to improve the number and signage of alcohol-free zones
- Acquisition of funding to further our work

Making a Difference

Misuse of alcohol and drugs is a national challenge and a daunting one. However, as a community we are taking on collective responsibility for addressing this challenge.

Despite the enormity of the issue, we believe it is possible to make a shift and reduce the numbers of young people turning to alcohol and drugs see Iceland's highly effective work on this https://ec.europa.eu/health/sites/health/files/alcohol/docs/ev_20180320_co08_en.pdf.

As you will see from the Iceland experience **policy decisions make a big difference, even small ones. We therefore request that you reject this request from Morrisons**

10.



Wed 01/07/2020 21:56

[Redacted]
application for selling alcohol at Morrisons Service Station and Store.

To Tara OKeefe

You replied to this message on 24/07/2020 14:21.



Dear Ms O'Keefe, I wish to strongly object to the proposal for the selling of alcoholic drink at Morrison's Service Station on the following grounds:

- 1) Many of the people buying alcohol will be motorists who might not exercise diligent judgment late at night.
- 2) With the lack of youth facilities in the town due not only to lockdown but also to a lack for funds for same from central government there will be a temptation for underage drinkers to obtain alcohol at all times from this facility.
- 3) During the uncertain times we are living through the provision of alcohol to desperate people who tend to assemble in groups, who are bored and frustrated, is unwise.


As a street pastor in Totnes I have seen the results of excessive drinking in public places by both adults and under aged drinkers, ranging from unconsciousness to stupid, loud, and antisocial behaviour. Why do we want this behaviour encouraged to bolster the profits of a large corporation?

Best wishes, [Redacted]
[Redacted]

11.

  08/07/2020


RE: Variation to premises licence - Morrisons, Coronation Road, Totnes

 You replied to this message on 08/07/2020 09:07.




Hi Naomi
Can I paste the same reasons? :

My concern with sales of alcohol in the early hours of the morning at the Morrisons Petrol Station would be that the people likely to acquire it could be the least responsible alcohol consumers, I would be concerned that some people might be more likely to engage in disreputable and possibly criminal behaviour under the influence of alcohol when the town is asleep. For this reason I object to the licensing of Morrisons selling alcohol through the night.


Thanks

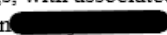



12.

  SW-Licensing;  09/07/2020

Morrisons 24hr sale of alcohol at petrol station

 You replied to this message on 24/07/2020 14:27.

We would like to object to the above application on the grounds of noise and light pollution. Also potential increase traffic during unsocial hours, plus as it becomes known, becoming a place for drink and drug related gatherings, with associated littering and discarded needles.
We live in  and would be directly affected by all the above, should permission be granted
Yours


13.

Mon 13/07/2020 10:23
John Birch [REDACTED]
Fw: Variation Application - Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF

To: SW-Licensing

[REDACTED]	[REDACTED]	[REDACTED]
PDF 44 KB	PDF 61 KB	PDF 61 KB
[REDACTED]	[REDACTED]	
PDF 26 KB	PDF 172 KB	

Variation Application – Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF.

I am writing to register my objection to the application for a variation to the premises licence for the sale of alcohol by Wm. Morrison Supermarkets PLC for Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF. The basis for this opposition is that granting a variation to the existing licence for these premises, which will result in alcohol being on sale for 24 hours a day for seven days a week, will not promote the licensing objectives, particularly the prevention of crime, disorder, antisocial behaviour and public nuisance.

The Morrisons Daily Petrol Filling Station is adjacent to an area cited within the Public Spaces Protection Order (Alcohol) 2018 issued by South Hams District Council and extending the licence to sell alcohol to 24 hours would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises 24 hours a day for seven days a week. Granting a variation to the existing licence will provide a further source of alcohol within an area already populated with more than sufficient licensed premises and will result in Totnes suffering a further increase in crime, disorder, anti social behaviour and public nuisance. The social problems associated with alcohol have increased in Totnes over the years and gave rise to the need to address the issue by the introduction of the Public Spaces Protection Order (Alcohol) 2018 by SHDC.

Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. They have endured this inconvenience for a considerable period of time and the granting of the variation application will exacerbate the situation.

In addition to my objection above I would request the Committee to consider the submissions of the following which are attached;

- [REDACTED] director and trustee of Marketplace Ministries and the Totnes Connection Hub
- 3. Totnes Street Pastors
- 5. Caring Town Working Groups

In view of the above, I would request the Licensing Committee to refuse the application.

Regards

Cllr John Birch
SHDC Member for Totnes

14.

Re: Fw: Variation Application - Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF

[REDACTED]
Wed 24/06/2020 10:00
[REDACTED]

5 attachments (10 KB)

image001.jpg@01D64883.CA699100; image002.jpg@01D64883.CA699100;
image003.jpg@01D64883.CA699100; image004.jpg@01D64883.CA699100;
image005.jpg@01D64883.CA699100;

Dear [REDACTED]

I/we at Totnes Connection Hub would want to fully support you in opposing both applications.

We see on a daily the result of people consuming too much alcohol and see no reason to encourage more access to it.

There are currently about 8 rough sleepers who all have various levels of addiction, it would not be helpful for them to have 24hr access.

There are also people who access the Together Drugs and Alcohol service which operates out of our premises, they see a lot of people with alcohol addictions.

[REDACTED] if you want to chat about this further, please don't hesitate to contact me. You may have a clearer way of writing things down!!


I do find this quite unbelievable!!

Thanks


Kind Regards

[REDACTED]
Director & Trustee Marketplace Ministries Ltd & Totnes Connection Hub
[REDACTED]
[REDACTED]
[REDACTED]

15.

 [Redacted Name] | Tara OKeefe; + 1 | 13/07/2020

Re Variation Application Morrisons Daily Petrol Filling Station

 You forwarded this message on 13/07/2020 16:06.


I am writing to object to the variation to the hours for the supply of alcohol at Morrisons Daily Petrol Filling Station. I am making a formal objection on the grounds of impact on public health (public safety) and protection of children from harm.

Excessive alcohol consumption is a leading cause of disease and premature mortality worldwide.....increasing the risk of a wide range of diseases... and can severely impact mental health and become a source of addiction. Research highlights the dangers that growth in excess drinking poses to population health (Lancet 2020). Extending licensing hours increases the availability of alcohol, to all age groups, thus having a potential detrimental impact on public health.

The impact of alcohol availability and pricing on child health, and subsequent behaviour in later adult life, is also emphasised in the report published in March this year 'State of Child Health 2020' (RCPCH). The incidence of adolescent intoxication increases to rise and, no doubt, has a subsequent impact on both future health of the individual, wider society and also an increase of inappropriate behaviour and crime.

[Redacted]

16.

 [Redacted Name] | SW-Licensing | 15/07/2020

RE: Morrisons Totnes 24hr application



[Redacted]

Sent: 15 July 2020 09:47
To: SW-Licensing
Subject: Morrisons Totnes 24hr application

I would like to complain about this application. It would be to the detriment of the town to allow this application. There is enough noise with the current traffic, early and late, for the residents of Station Rd and surrounding areas. Totnes neither needs nor requires a 24 hr shop. It would at the best attract more traffic during the night time hours and at worse attract noise and antisocial behaviour from noisy cars and car radios.

[Redacted]

17.

 
morrison's licenses

16/07/2020



Hello Naomi and all,

I thought I had sent a representation a few days ago but I don't believe it has sent after all.

I do not support Morrison's licensing applications for the sale of alcohol 24 hrs or for the sale of refreshments 23.00hrs-0500hrs.

There is no "need" in Totnes for these kind of sales.

The local youth group and safeguarding young peoples group and the food bank where the drug and addiction services work from have all contacted me with concerns around the 24 sales of alcohol. There would be a detrimental impact on those with alcohol addictions and very likely an increase in public disorder and ASB. There is not need for our young people to be offered alcohol 24hours, there are no late night bars or clubs in the area which at least would provide a space and some kind of safeguarding but selling booze all night is not gong to benefit the community especially the most vulnerable. I would also have concerns for the wellbeing of children in homes with alcohol issues.

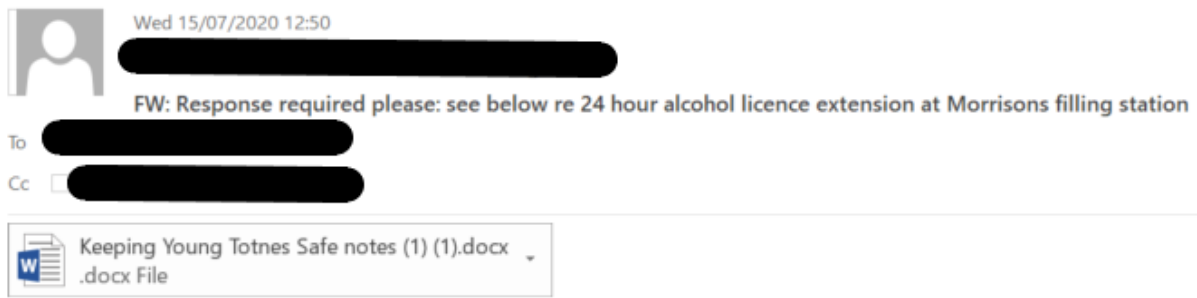
Though the lockdown I've become aware of alcohol delivery services and I'm aware that has a detrimental impact on ASB and neighbour disputes. Whilst Im sure there are some locals working night shifts I don't know of specific 24 hour employers which may warrant refreshment sales through the night.

As Ward member for Totnes I would like the committee to refuse these applications.

Thanks and best wishes



18.



Dear Cllr Birch and Tara,

At the Council Matters Committee on Monday evening, Totnes Town Councillors considered this licensing request. The Committee objects to the variation for the following reasons:

- Public Safety – concern that the location could attract those driving under the influence of alcohol.
- Prevention of Public Nuisance – the service station sits in a residential area.
- Prevention of Crime and Disorder – 24 hour sale of alcohol could see this location become a magnet for the homeless, drug and alcohol addicts.
- Safeguarding – for the staff in the store and for young people given the close proximity to KEVICC, the Skate Park and Vire Island.

Kind Regards

[Redacted Signature]

Committee and Cemetery Administrator
Totnes Town Council

[Redacted Contact Information]

19.

From: [Redacted]

Sent: 24 June 2020 09:43

To: SW-Licensing <licensing@swdevon.gov.uk>

Subject: Morrisons Filling station. Totnes

Dear Sir/Madame,

I am writing to object to the application by Morrisons filling station, Station Rd, Totnes, for rights to stay open for the sale of alcohol 24/7.

This is a greedy & utterly absurd & dangerous idea. In trying to recoup lost income over lockdown, they are planning to exploit the alcoholic and homeless of this town & attract same from neighbouring towns such as Plymouth.

Morrisons (both petrol station and Supermarket, do extremely well in this town, as they are the sole merchants & have virtually no competition).

It is pure GREED that is driving this absurd suggestion. I hope you can nip it in the bud, teach them a lesson and help the poor folk who have been driven by hard times to dependance on alcohol.

Yours sincerely,
[Redacted]

20.



Thu 09/07/2020 12:30

[Redacted]

Application for variation to a licence

To SW-Licensing

Cc [Redacted]

I would like to object to the application from Wm Morrison Supermarkets PLC Coronation Road, Totnes, TQ9 5DF for a variation to a premises licence below: To vary the hours for the sale by retail of alcohol and opening to 0000 to 2400 hours Monday to Sunday inclusive. To permit late night refreshment from 2300 to 0500 hours Monday to Sunday inclusive.

Here are some excerpts from an internet search I did, which strongly correlate with items 1, 2 and 3 on your list:

<https://alcoholchange.org.uk/alcohol-facts/fact-sheets/alcohol-crime-and-disorder>

Alcohol is implicated in an enormous amount of crime and disorder, and the effects on victims can be devastating. It is a factor in around 39% of all violent crimes in England and 49% in Wales, as well as contributing to public disorder and anti-social behaviour in communities across the country.

As police forces face cuts, dealing with pockets of disorder long into the early hours is a drain on resources.

<https://www.alcoholrehabguide.org/alcohol/crimes/>

Alcohol plays a large role in criminal activities and violence. Excessive drinking has the ability to lower inhibitions, impair a person's judgement and increase the risk of aggressive behaviour.

I am particularly concerned that the sale of alcohol late at night to car drivers in the Morrison's service station could encourage drink-driving. To a somewhat lesser extent, this also applies to the main Morrison's store. I need hardly say that drink-driving can cause fatal accidents.

Yours faithfully,

[Redacted signature]

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Agenda Item 5

Report to: **Licensing Sub-Committee**
Date: **12th August 2020**
Title: **Application to vary the Premises Licence of
Morrisons, Coronation Road, Totnes**
Portfolio Area: **Customer First**
Wards Affected: **Totnes Town**
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 **Morrisons, Coronation Road, Totnes, TQ9 5GN** in accordance with Section 35 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application from Wm Morrison Supermarkets Plc for a variation to the Premises Licence on 19th June 2020. The purpose of the application is to vary the hours for sale of alcohol and opening from 6am to midnight (currently) to 24hrs. Also to include the provision of late night refreshment from 11pm to 5am. A copy of the application is attached at **Appendix A** and a copy of the current premises licence is at **Appendix B**.
- 1.3 Sixteen 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 currently licensed for the sale of alcohol for consumption off the premises, Monday to Sunday from 6am to midnight. There are no set opening hours on the premises licence, a copy of the premises licence and plan is at **Appendix B**.
- 2.2 The mandatory conditions under Annex 1 of the premises licence and the conditions relating to the licensing objectives under Annex 2 of the premises licence will remain in place should the application be granted, unless specifically removed by the Licensing Sub-Committee. The committee also have the power to include additional conditions if they believe appropriate to promote the licensing objectives. The applicant has not offered to include any further conditions within their operating schedule as part of this application.
- 2.3 Should the variation application be granted the premises licence would not supersede any planning restrictions in place at the premises or the limits on opening hours under Sunday Trading legislation, including further restrictions on Christmas Day and Easter Sunday.
- 2.4 Sixteen representations in objection to this application were received during the consultation period from District Councillors, Totnes Town Council, local charitable organisations and local residents. Copies of their representations can be found at **Appendix C**.
- 2.5 The representations make reference to the 'prevention of crime and disorder', 'prevention of public nuisance' and 'protection of children from harm' licensing objectives and the potential impact that the extended hours for sale of alcohol may have on the local

community. The main areas for concern relate to: anti-social and criminal behaviour linked to alcohol consumption; underage alcohol sales; noise and disturbance; and litter. There is particular reference in many of the representations to the welfare of rough sleepers and other vulnerable persons within the town, should access to alcohol be available throughout the night.

- 2.6 The premises is located on the edge of the town centre, close to other businesses and residential properties. As has been mentioned in some of the representations, it is adjacent to the area covered by the Public Spaces Protection Order (PSPO) 2018 in relation to alcohol consumption. The PSPO was brought in to control anti-social behaviour associated with the consumption of alcohol and requires that any person within the PSPO area must surrender any open vessel containing alcohol to an authorised person when requested to do so. To refuse to surrender the alcohol is an offence.
- 2.7 There is also reference within the representations to 'public safety', although the reasons given are in fact in relation to 'public health'. 'Public health' in itself is not a licensing objective and therefore cannot be considered when determining a premises licence application. The Home Office guidance issued under Section 182 Licensing Act 2003 defines 'public safety' as concerning 'the safety of people using the relevant premises rather than public health which is addressed in other legislation.' It goes on to state that 'there will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act.'
- 2.8 Any reference within the representations to the 'need' for the additional hours for sale of alcohol or to the number of other outlets selling alcohol within the town cannot be taken into consideration.
- 2.9 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 (the Guidance) issued under Section 182 Licensing Act 2003 (revised April 2018).
- 2.10 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).
- 2.11 The four licensing objectives are:

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

- 2.12 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.
- 2.13 Section 4.1 of the Policy sets out additional legislation, strategies, policies and guidance to which the Licensing Authority will have regard.
- 2.14 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).
- 2.15 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)
- 2.16 No representations have been received from any of the responsible authorities.
- 2.17 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 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.
- 3.4 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.
- 3.5 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.
- 3.6 Section 6.8 of the policy states: Shops, stores and supermarkets will generally be permitted to sell alcohol for consumption off the premises during the normal hours they intend to open for shopping purposes unless there are exceptional reasons relating to the licensing objectives, in particular the prevention of crime and disorder and public nuisance. This could be if an individual shop is known to be a focus of disorder and disturbance and relevant representations have been received. Another such reason may be a particularly early opening time, where there are reasons to believe that the availability of alcohol at that hour could impact adversely on the licensing objectives.
- 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.

- 3.8 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; b) substitute for the decision appeal against another decision which could have been made by the Licensing authority; c) remit the case to the Licensing Authority to dispose of it in accordance with the direction of the court.
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 2.11). 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 2.11 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

Appendix B – current premises licence and plan

Appendix C – representations

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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Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

MCJ.VHT.109500.11551

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

WM MORRISON SUPERMARKETS PLC

* Family name

WM MORRISON SUPERMARKETS PLC

* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

00358949

Business name

WM MORRISON SUPERMARKETS PLC

If the applicant's business is registered, use its registered name.

VAT number

GB 343475355

Put "none" if the applicant is not registered for VAT.

Legal status

Public Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

910,000

Section 3 of 18

VARIATION

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

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

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 to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

1. TO VARY THE HOURS FOR THE SALE BY RETAIL OF ALCOHOL AND OPENING TO 00.00 TO 24.00 HOURS MONDAY TO SUNDAY INCLUSIVE.
2. TO PERMIT LATE NIGHT REFRESHMENT FROM 23.0 TO 05.00 HOURS MONDAY TO SUNDAY INCLUSIVE.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

Continued from previous page...

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 14 of 18

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

NONE

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

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

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

AS EXISTING

b) The prevention of crime and disorder

AS EXISTING

c) Public safety

AS EXISTING

d) The prevention of public nuisance

AS EXISTING

e) The protection of children from harm

AS EXISTINGPage 68

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

Section 18 of 18

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

635.00

DECLARATION

I/We understand that 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.

The information provided will be held securely by this Council in accordance with current Data Protection legislation. We must protect the public funds that we handle, so we may use the information provided to prevent and detect fraud. We

Continued from previous page...

* may also share this information with other organisations that handle public funds. Information provided may also be used to check the accuracy of records held elsewhere in the council. See www.southhams.gov.uk for further information.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/south-hams/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

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Licensing Act 2003

Premises Licence

Licence Valid From: 7 December 2015

SHPL0133**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****Morrisons**

Morrisons, Coronation Road, Totnes, Devon, TQ9 5GN

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:

--	--

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

Supply of Alcohol	Mon 06:00-00:00
	Tue 06:00-00:00
	Wed 06:00-00:00
	Thu 06:00-00:00
	Fri 06:00-00:00
	Sat 06:00-00:00
	Sun 06:00-00:00

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

Off Premises

Part 2**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

WM Morrison Supermarkets Plc
Hilmore House, Gain Lane, Bradford, Yorkshire, BD3 7DL
08456 115000

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

00358949

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

Mr Peter George Tyson

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

Licence Number: PL11369

Issued By: Plymouth

ANNEXES

MANDATORY LICENSING CONDITIONS – OFF SALES ONLY FROM 1ST OCTOBER 2014

SUPPLY OF ALCOHOL

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

1. at a time when there is no designated premises supervisor in respect of the premises licence, or
2. at a time when the designated premises supervisor does not hold a personal licence or his personal licence has been suspended.
3. 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

1. 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
2. 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
3. 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.

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.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

GENERAL

1. All staff engaged in the sale of alcohol must be trained in accordance with the premises licence holder's training procedures.

THE PREVENTION OF CRIME AND DISORDER

2. All staff engaged in the sale of alcohol must receive suitable training (including refresher training) in relation to the proof of age "Challenge 25" Scheme to be applied on the premises.

3. The following forms of identification are acceptable: photo driving licence, passport, proof of age standards scheme (PASS) card and any other locally or nationally approved form of identification.

4. CCTV must be provided on the premises and must be kept in good working order.

5. All checkout operators must operate a refusal log.

PUBLIC SAFETY

6. The premises licence holder must undertake ongoing risk assessments in order to comply with health and safety legislation.

THE PROTECTION OF CHILDREN FROM HARM

7. Till prompts must be in use at the store to aid the prevention of underage sales.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

None

ANNEX 4 – PLANS (AS EXISTING)



Ian Luscombe
Head of Environmental Health Practice
On behalf of the Licensing Authority

Licensing Act 2003

Premises Licence Summary

Licence Valid From: 7 December 2015

SHPL0133

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

Morrisons

Morrisons, Coronation Road, Totnes, Devon, TQ9 5GN

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:

--	--

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

Supply of Alcohol	Mon 06:00-00:00
	Tue 06:00-00:00
	Wed 06:00-00:00
	Thu 06:00-00:00
	Fri 06:00-00:00
	Sat 06:00-00:00
	Sun 06:00-00:00

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

Off Premises

NAME AND (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

WM Morrison Supermarkets Plc
Hilmore House, Gain Lane, Bradford, Yorkshire, BD3 7DL
08456 115000

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

00358949

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

Mr Peter George Tyson

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

There are no restrictions on Children

Appendix C - Representations

1.



Wed 24/06/2020 10:30

[Redacted]

Application for extension of Morrisons opening hours.

To SW-Licensing

I wish to formally object to the proposed application of extended 24hr opening for the Morrisons supermarket in Totnes and also the garage.

I am particularly concerned about the sale of alcohol.

I do not object to the sale of food or fuel.

I do not want to see a rise in alcohol related crimes and issues particularly for the more vulnerable members of our town. This includes those with mental health issues and young people some of whom will be under age drinkers.

I have been a member of the Street Pastor team for the last 5years in Totnes so I am aware of some of the issues that arise due to the purchase of alcohol particularly in the evenings.

I hope you will take my objection and concerns seriously when making any decisions about this application.

Thank you

[Redacted signature block]

2.



Wed 08/07/2020 17:09

[Redacted]

Proposed increase in licensing hours at Morrisons Supermarket Totnes

To SW-Licensing

I would like to object to the proposed increase in licensing hours at Morrisons Supermarket Coronation Road, Totnes, TQ9 5DF to 24hours. This is addition to the complaint about a similar proposal at Morrisons Petrol Gragae

There is absolutely no benefit to the people of Totnes by this proposal and there are several negative aspects.

Increased likelihood of anti-social drinking. This is already a problem in Totnes, and efforts have been made in recent years to decrease this. Increased availability of alcohol will make the issue worse again and encourage street people to be out and about late at night causing a public nuisance

It increases the risk to the young people of the town. As a school governor I am aware that there is a problem of under-age drinking. Teenagers do hang around Morrisons supermarket on some evenings and manage to obtain alcohol.

The increasing of hours of supply late into the night, increases the possibility of teens obtaining alcohol, and would encourage more of them to stay out late at night. This is a risk in itself, without the added risk of alcohol.

Yours sincerely

[Redacted signature]

[Redacted signature]

3.



Thu 25/06/2020 08:18

[Redacted]

Objection to extending the times available to buy alcohol

To SW-Licensing

You replied to this message on 25/06/2020 09:53.

Dear Sirs or Madam

I am very concerned about Morrison's wanting to extend the time they can sell alcohol especially at the petrol station.

This will allow alcohol buying in the early hours of the morning which can certainly be a time when people who have problems with alcohol will find it difficult not to purchase more if they can and some of these people might be drivers of cars.

I am really concerned that there will be increased danger to public safety on the roads and possibly more social disturbances, because of this I would like to object to these applications.

Yours sincerely

[Redacted signature]

4.



Wed 08/07/2020 16:35

FW: Objection to extension of licensing

To SW-Licensing

We would like to object to the application from **Wm Morrison Supermarkets PLC Coronation Road, Totnes, TQ9 5DF** for a variation to a premises licence below: *To vary the hours for the sale by retail of alcohol and opening to 0000 to 2400 hours Monday to Sunday inclusive. To permit late night refreshment from 2300 to 0500 hours Monday to Sunday inclusive.*

Street Pastors support the night-time economy most Fridays between the hours of 9.30pm to 1am. We meet people who often have had too much to drink and have made themselves vulnerable or aggressive. Shop windows have been damaged. We have on CCTV the window of the museum being broken, the perpetrators being quite clearly very drunk. We also meet young people, who whilst they are polite in their interactions with us, have drunk more than they should and very often from high alcohol spirits.

We often notice too, groups of youngsters gathering outside Morrisons, often mixing with those coming out having just purchased alcohol.

As a town we are concerned about alcohol misuse and feel that extended hours will just make it impossible for people to make sensible choices re consumption and make it so much easier for unscrupulous people to exploit the situation and indeed prove too much of an easy temptation for our young people. We picked up **236 discarded bottles and cans in 2019**. We collect many of the bottles and cans from Borough Park where we meet the young people. A lot of the bottles were for spirits – notably vodka.

There is also a public health and hygiene issue. We notice regularly the difficulty experienced by those enjoying the night-time economy in accessing toilets, leading persons of both sexes to resort to urinating in public areas. All-night access to drink – whether alcoholic or not – would greatly increase this burden, both on the night-time visitors and on the local authority cleaning the morning after.

Each of the 4 following objections come into play with this application: Prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm.

The Management Team of Totnes Street Pastors, part of Caring Town



Caring Town

5.



Wed 01/07/2020 17:33

[Redacted]

Opposition to-Variation Application for Morrison store and petrol station

To SW-Licensing

We removed extra line breaks from this message.

I would like to add my total opposition to the above application on the grounds of:

1. Totnes has enough places for people to obtain alcoholic drinks in the town.
2. We have a major drink related problem by many of the homeless people and others, especially in the evening. This has often led to antisocial behaviour, violence to property and distress to local residents.
 1. I live in Manor Way and we have had people knocking on our door in the middle of the night (clearly drunk!) I feel it is totally unnecessary for Morrison to request such an application and I respectfully urge you to deny this.

Thank you

[Redacted signature]

6.

Ref: Variation to a premises licence application from WM Morrison Supermarkets PLC for Morrisons Store, Coronation Road, Totnes

Grounds for Objection

1. Protection of children from harm
2. Prevention of public nuisance
3. Prevention of crime and disorder
4. Public safety

Substance of the objection

I am writing as a representative of “Caring Town”, a project unique to Totnes, and convenor and chair of our two working groups which are relevant to this application. The two groups are concerned with the safeguarding of young people **“Keeping Young Totnes Safe”** and the second is concerned with the **rough sleepers and street people in Totnes**.

We wish to lodge **an objection** to the variation of the alcohol licence to Morrisons store for the following reasons:

- Our groups are concerned with the welfare of young people in the community and rough sleepers especially in respect of misuse of drugs and alcohol. We believe that neither of these groups will benefit from extended alcohol sales. We have concerns for their wellbeing already and can see no justification for increasing the risks to their safety by offering them more opportunities to purchase alcohol
- We already have a Public Space Protection order in place (alcohol) as anti-social behaviour related to alcohol has increased over the years. There have been several incidents including damage to shop windows , two valuable windows at the Totnes museum were punched through and threatening behaviour.
- We believe that an extended 24 hour licence is likely to encourage longer drinking hours. As the shop car park borders the river path, we are concerned that people will congregate to continue their drinking in that area and put themselves at risk.

Why does this matter?

We believe that this will not support the safeguarding of our young people

We believe that it would undermine the work done by the Connection Hub, the Street Pastors, SHDC navigators and others all of whom have made significant progress to support vulnerable groups in the town.

Who are we and what are our relevant activities?

Amongst many other initiatives **Caring Town** convenes two multi agency working groups: **“Keeping Young Totnes Safe”** and **“Addressing the needs of rough sleepers and street people”**.

The two groups have representation from: the NHS, Public health, churches, town and district councils, Drug and Alcohol Services for young people and adults, schools, local children’s centres, the Totnes Community Hub, Street pastors, the CAB and several local charities and organisations.

Each group shares the same purpose which include ensuring strong lines of communication and the sharing of local knowledge. We are proactive in seeking new approaches and solutions to support the most vulnerable in our community. Agencies and groups attend voluntarily to gain added value over the normal channels of communication.

In light of the above, we ask that you refuse this application

Thank you for your attention

██████████

Convenor and chair of the Caring Town working groups

The organisations listed under the heading above "**Who are we?**" have agreed that an objection should be placed through "**Caring Town**". Should you require names please let me know.

7.



Mon 06/07/2020 15:16

Cllr Joseph Rose

RE: Variation to premises licence - Morrisons, Coronation Road, Totnes

To  Naomi Stacey

Hi Naomi

My concern with sales of alcohol in the early hours of the morning would be that the people likely to acquire it could be the least responsible alcohol consumers, I would be concerned that some people might be more likely to engage in disreputable and possibly criminal behaviour under the influence of alcohol when the town is asleep. For this reason I object to the licensing of Morrisons selling alcohol through the night.

Cllr Joseph Rose

Totnes Ward



South Hams
District Council

8.



Mon 13/07/2020 10:31

John Birch [REDACTED]

Variation Application – Morrisons Store, Coronation Road, Totnes.

To SW-Licensing

[REDACTED]

44 KB	61 KB	61 KB
26 KB		

Variation Application – Morrisons Store, Coronation Road, Totnes.

I am writing to register my objection to the application for a variation to the premises licence for the sale of alcohol by Wm. Morrison Supermarkets PLC for Morrisons Store, Coronation Road, Totnes. The basis for this opposition is that granting a variation to the existing licence for these premises, which will result in alcohol being on sale for 24 hours a day for seven days a week, will not promote the licensing objectives, particularly the prevention of crime, disorder, antisocial behaviour and public nuisance.

The Morrisons Store is adjacent to an area cited within the Public Spaces Protection Order (Alcohol) 2018 issued by South Hams District Council and extending the licence to sell alcohol to 24 hours would be totally detrimental to its aims and objectives. The application proposes that alcohol will be sold for consumption off the premises 24 hours a day for seven days a week. Granting a variation to the existing licence will provide a further source of alcohol within an area already populated with more than sufficient licensed premises and will result in Totnes suffering a further increase in crime, disorder, anti social behaviour and public nuisance. The social problems associated with alcohol have increased in Totnes over the years and gave rise to the need to address the issue by the introduction of the Public Spaces Protection Order (Alcohol) 2018 by SHDC. Residents in this area already suffer noise nuisance and antisocial behaviour at all hours of the day and night. They have endured this inconvenience for a considerable period of time and the granting of the variation application will exacerbate the situation.

In addition to my objection above I would request the Committee to consider the submissions of the following which are attached;

1. [REDACTED] director and trustee of Marketplace Ministries and the Totnes Connection Hub
2. [REDACTED]
3. Totnes Street Pastors
4. [REDACTED]
5. Caring Town Working Groups - to follow

In view of the above, I would request the Licensing Committee to refuse the application.

Regards

Cllr John Birch
SHDC Member for Totnes

9.

Re: Fw: Variation Application - Morrisons Daily Petrol Filling Station, Station Road, Totnes, TQ9 5LF

[REDACTED]
Wed 24/06/2020 10:00
[REDACTED]

📎 5 attachments (10 KB)

image001.jpg@01D64883.CA699100; image002.jpg@01D64883.CA699100;
image003.jpg@01D64883.CA699100; image004.jpg@01D64883.CA699100;
image005.jpg@01D64883.CA699100;

Dear [REDACTED]

I/we at Totnes Connection Hub would want to fully support you in opposing both applications.

We see on a daily the result of people consuming too much alcohol and see no reason to encourage more access to it.

There are currently about 8 rough sleepers who all have various levels of addiction, it would not be helpful for them to have 24hr access.

There are also people who access the Together Drugs and Alcohol service which operates out of our premises, they see a lot of people with alcohol addictions.

[REDACTED] if you want to chat about this further, please don't hesitate to contact me. You may have a clearer way of writing things down!!

I do find this quite unbelievable!!

Thanks

Kind Regards

[REDACTED]
Director & Trustee Marketplace Ministries Ltd & Totnes Connection Hub
[REDACTED]
[REDACTED]
[REDACTED]

10.



Tue 14/07/2020 15:33

Variation Application Morrisons Store Coronation Road Totnes

To Tara OKeefe

Cc Cllr John Birch

I am making a formal objection on the grounds of impact on public health (public safety) and protection of children from harm.

Excessive alcohol consumption is a leading cause of disease and premature mortality worldwide.....increasing the risk of a wide range of diseases... and can severely impact mental health and become a source of addiction. Research highlights the dangers that growth in excess drinking poses to population health (Lancet 2020). Extending licensing hours increases the availability of alcohol, to all age groups, thus having a potential detrimental impact on public health.

The impact of alcohol availability and pricing on child health, and subsequent behaviour in later adult life, is also emphasised in the report published in March this year 'State of Child Health 2020' (RCPCH). The incidence of adolescent intoxication increases and, no doubt, has a subsequent impact on both future health of the individual, wider society and also an increase of inappropriate behaviour and crime.

The allowance of such availability in an area opposite to the local community hospital, and where people can congregate through the night will have a significant impact on the town and patient care in the hospital.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

11.



Thu 16/07/2020 16:55

Cllr Jo Sweett

morrison's licenses

To SW-Licensing

Hello Naomi and all,

I thought I had sent a representation a few days ago but I don't believe it has sent after all.

I do not support Morrison's licensing applications for the sale of alcohol 24 hrs or for the sale of refreshments 23.00hrs-0500hrs.

There is no "need" in Totnes for these kind of sales.

The local youth group and safeguarding young peoples group and the food bank where the drug and addiction services work from have all contacted me with concerns around the 24 sales of alcohol. There would be a detrimental impact on those with alcohol addictions and very likely an increase in public disorder and ASB. There is not need for our young people to be offered alcohol 24hours, there are no late night bars or clubs in the area which at least would provide a space and some kind of safeguarding but selling booze all night is not going to benefit the community especially the most vulnerable. I would also have concerns for the wellbeing of children in homes with alcohol issues.

Though the lockdown I've become aware of alcohol delivery services and I'm aware that has a detrimental impact on ASB and neighbour disputes. Whilst I'm sure there are some locals working night shifts I don't know of specific 24 hour employers which may warrant refreshment sales through the night.

As Ward member for Totnes I would like the committee to refuse these applications.

Thanks and best wishes

Jo

12.



Wed 15/07/2020 12:50

FW: Response required please: see below re 24 hour alcohol licence extension at Morrisons filling station

To

Cc



Keeping Young Totnes Safe notes (1) (1).docx
.docx File

Dear Cllr Birch and Tara,

At the Council Matters Committee on Monday evening, Totnes Town Councillors considered this licensing request. The Committee objects to the variation for the following reasons:

- Public Safety – concern that the location could attract those driving under the influence of alcohol.
- Prevention of Public Nuisance – the service station sits in a residential area.
- Prevention of Crime and Disorder – 24 hour sale of alcohol could see this location become a magnet for the homeless, drug and alcohol addicts.
- Safeguarding – for the staff in the store and for young people given the close proximity to KEVICC, the Skate Park and Vire Island.

Kind Regards

[Redacted]

Committee and Cemetery Administrator
Totnes Town Council

[Redacted]

From

[Redacted]

Sent: 15 July 2020 14:13

To: Tara OKeefe

[Redacted]

Subject: FW: Response required please: see below re 24 hour alcohol licence extension at Morrisons filling station

Hello Tara,

Could I check what contact details you have for Totnes Town Council as we don't seem to have directly received the license extension emails for either the Morrisons Petrol Station or the main store. Totnes Town Council's objections to any extension to the operating hours of the main store would be the same as those listed for the petrol station.

Kind Regards

[Redacted]

Committee and Cemetery Administrator
Totnes Town Council

[Redacted]

13.

From [REDACTED]
Sent: 24 June 2020 09:43
To: SW-Licensing <licensing@swdevon.gov.uk>
Subject: Morrisons Filling station. Totnes

Dear Sir/Madame,

I am writing to object to the application by Morrisons filling station, Station Rd, Totnes, for rights to stay open for the sale of alcohol 24/7.

This is a greedy & utterly absurd & dangerous idea. In trying to recoup lost income over lockdown, they are planning to exploit the alcoholic and homeless of this town & attract same from neighbouring towns such as Plymouth.

Morrisons (both petrol station and Supermarket, do extremely well in this town, as they are the sole merchants & have virtually no competition).

It is pure GREED that is driving this absurd suggestion. I hope you can nip it in the bud, teach them a lesson and help the poor folk who have been driven by hard times to dependance on alcohol.

Yours sincerely,
[REDACTED]

14.



Mon 06/07/2020 20:30

[Redacted]

Objection to Morrisons, Coronation Road, Totnes, TQ9 5dF license application

To SW-Licensing

To whom it may concern

I'm writing with regard to the license application by WM Morrisons, Coronation Rd, Totnes, to:

- Vary the hours for the sale by retail of alcohol and opening to 24hrs Monday to Sunday inclusive.
- Permit late night refreshment from 11:00 p.m. to 05:00 a.m. Monday to Sunday inclusive.

I am a resident and owner of : [Redacted]

and as such, one of the closest neighbours to Morrisons supermarket.

I have lived at the above address for over 10 years now and since the longer opening hours of Morrisons were introduced a few years ago,

the noise from late night deliveries has become increasingly invasive

- it is not uncommon to be woken up at 3 or 4 am to the sound of crates being dragged across metal flooring, hydraulic lifts, reverse alarms and idling diesel engines.

I have written to Morrisons in the past regarding this, but have never had a response.

I have little doubt that the noise would be above acceptable levels with regard to the Environmental act 1990. So far, I have not had the time and energy to pursue this further,

and have resorted to sleeping on the other side of the house. This is not a long term solution.

I am concerned that that longer opening hours -24hr - would exacerbate this further, as a result of a busier store/ more deliveries and that noise form other vehicles would increase.

Therefore, on these grounds I object to the application. If WM Morrisons were to engage with residents, and come up with a solution to the noise pollution by somehow soundproofing the loading/delivery area

and curtailing night time deliveries, I would be more open to the new opening hours.

Yours faithfully

[Redacted signature]

15.



Thu 09/07/2020 12:30

[REDACTED]

Application for variation to a licence

To SW-Licensing

Cc [REDACTED]

I would like to object to the application from Wm Morrison Supermarkets PLC Coronation Road, Totnes, TQ9 5DF for a variation to a premises licence below: To vary the hours for the sale by retail of alcohol and opening to 0000 to 2400 hours Monday to Sunday inclusive. To permit late night refreshment from 2300 to 0500 hours Monday to Sunday inclusive.

Here are some excerpts from an internet search I did, which strongly correlate with items 1, 2 and 3 on your list:

<https://alcoholchange.org.uk/alcohol-facts/fact-sheets/alcohol-crime-and-disorder>

Alcohol is implicated in an enormous amount of crime and disorder, and the effects on victims can be devastating. It is a factor in around 39% of all violent crimes in England and 49% in Wales, as well as contributing to public disorder and anti-social behaviour in communities across the country.

As police forces face cuts, dealing with pockets of disorder long into the early hours is a drain on resources.

<https://www.alcoholrehabguide.org/alcohol/crimes/>

Alcohol plays a large role in criminal activities and violence. Excessive drinking has the ability to lower inhibitions, impair a person's judgement and increase the risk of aggressive behaviour.

I am particularly concerned that the sale of alcohol late at night to car drivers in the Morrison's service station could encourage drink-driving. To a somewhat lesser extent, this also applies to the main Morrison's store. I need hardly say that drink-driving can cause fatal accidents.

Yours faithfully,

[REDACTED]
[REDACTED]
[REDACTED]

16.



Wed 01/07/2020 21:56

[REDACTED]
application for selling alcohol at Morrisons Service Station and Store.

To Tara OKeefe

You replied to this message on 24/07/2020 14:21.

Dear Ms O'Keefe, I wish to strongly object to the proposal for the selling of alcoholic drink at Morrison's Service Station on the following grounds:

- 1) Many of the people buying alcohol will be motorists who might not exercise diligent judgment late at night.
- 2) With the lack of youth facilities in the town due not only to lockdown but also to a lack for funds for same from central government there will be a temptation for underage drinkers to obtain alcohol at all times from this facility.
- 3) During the uncertain times we are living through the provision of alcohol to desperate people who tend to assemble in groups, who are bored and frustrated, is unwise.

As a street pastor in Totnes I have seen the results of excessive drinking in public places by both adults and under aged drinkers, ranging from unconsciousness to stupid, loud, and antisocial behaviour. Why do we want this behaviour encouraged to bolster the profits of a large corporation?

Best wishes, [REDACTED]
[REDACTED]

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