

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. Declaration of Interest

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

4. Application for a New Premises Licence at 8 (c) West Street, Tavistock

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Report to: **Licensing Sub-Committee**
Date: **28 September 2017**
Title: **Application for a new premises licence at 8C West Street, Tavistock, PL19 8AD**
Portfolio Area: **Customer First**
Wards Affected: **Tavistock North**
Relevant Scrutiny Committee:

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

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

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RECOMMENDATION

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

- i) grant the application as submitted, subject to any Mandatory Conditions required;**
- ii) modify the conditions of the licence;**
- iii) exclude any of the licensable activities to which the application relates;**
- iv) to refuse to specify a person in the licence as the premises supervisor;**
- v) reject the application,**

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 new Premises Licence at **Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD** in accordance with Section 18 of the Licensing Act 2003.
- 1.2 The Licensing Authority received an application for a new Premises Licence for the above on 11th August 2017. The premises is located on the first floor with a mezzanine area and is not currently being

used for licensable activities. A copy of the application and plan is attached at **Appendix A**.

1.3 The application is for:

- Supply of alcohol for consumption on the premises
 - Sunday to Wednesday 16:00 – 00:00;
 - Thursday to Saturday 16:00 – 01:00.
 - Christmas & New Year's Eve additional 1 hour.
- Provision of late night refreshment (indoors)
 - Sunday to Wednesday 23:00 – 00:00;
 - Thursday to Saturday 23:00 – 01:00.
 - Christmas Eve & New Year's Eve additional 1 hour.
- Performances of dance (indoors)
 - Monday to Wednesday 16:00 – 00:00;
 - Thursday to Saturday 16:00 – 01:00;
 - Sunday 16:00 – 23:30.
 - Christmas Eve & New Year's Eve additional 1 hour.
- Recorded music (indoors)
 - Monday to Thursday 16:00 – 00:00;
 - Friday to Saturday 16:00 – 01:00;
 - Sunday 16:00 – 23:00
 - Christmas Eve & New Year's Eve additional 1 hour.
- Live music (indoors)
 - Monday to Thursday 16:00 – 00:00;
 - Friday to Saturday 16:00 – 00:30;
 - Sunday 16:00 – 23:00.
- Hours premises are open to the public
 - Sunday to Wednesday 16:00 – 00:00;
 - Thursday to Saturday 16:00 – 01:00.
 - Christmas Eve & New Year's Eve additional 1 hour.

1.4 During the consultation period, in liaison with the Police, the applicant has agreed to include additional conditions to address the licensing objectives and to reduce the hours for licensable activities. Details of the changes agreed between the applicant and the Police can be found at **Appendix B**.

2. Background

2.1 The premises is located in the town centre of Tavistock, in an area containing both businesses and residential properties. A plan showing the location of the premises and photographs of the area can be found at **Appendix D**.

2.2 Twelve relevant representations were received in objection to the application during the consultation period, copies of which are attached at **Appendix C**. An additional representation was received out of time, which related to similar issues. Objections were received from persons living in close proximity to the premises and also from Tavistock Town Council, some highlighted that among the nearby residents are families with young children.

- 2.3 All of the representations relate to the 'Prevention of Public Nuisance' licensing objective with concerns raised about potential noise nuisance from music, from customers leaving the premises late at night, and from the general operation of the premises such as waste collections and air conditioning generators. There are also concerns about light pollution from proposed rear lighting and increased litter in the vicinity of the premises.
- 2.4 Reference has been made to a 'rear smoking area', but the applicant has confirmed that no such area is proposed. The conservatory will be used for storage and the rear spiral staircase used as an emergency exit only. The lack of designated smoking area has been raised as an issue in itself, due to the likelihood that smokers will congregate on the pavement outside the front of the premises, potentially causing a nuisance to residents and passers-by.
- 2.5 Other concerns relate to the 'Prevention of Crime and Disorder' licensing objective. There is the perception that the use of the premises for licensable activities will lead to increased anti-social behaviour and crime in the area, mainly from customers leaving late at night under the influence of alcohol, with examples of disturbance and anti-social behaviour already experienced by local residents detailed. The Police have confirmed that the amendments which they have agreed with the applicant will address the crime and disorder issues they have raised.
- 2.6 All of those who have made a representation have been made aware of the amendments agreed between the applicant and the Police. At the time of writing this report, none of the objectors were satisfied that these changes addressed their concerns and were therefore unwilling to withdraw their objections.
- 2.7 Some of the representations have made reference to the 'need' for another licensed premises in the area and appropriateness of the 'change of use' of the premises. These are not matters which can be considered under the Licensing Act 2003 which must only take into account issues relating to the four licensing objectives.
- 2.8 If a premises licence were to be granted at this location, the applicant is aware that planning permission would be required before these activities may take place. A planning application for the premises has not been received by West Devon Borough Council at the time of writing this report.
- 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 issued under Section 182 Licensing Act 2003 (revised April 2017).

- 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 2017 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 Out of the above responsible authorities, representations were only received from the Police and amendments have been agreed with the applicant.

- 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 immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave (paragraph 2.19 of the guidance).
- 3.3 Section 6.1 & 6.2 of the policy states: The Licensing Authority will deal with the issue of licensing hours on the individual merits of each application. When the Authority's discretion is engaged, consideration will be given to the individual merits of an application but the presumption will be to grant the hours requested unless there are objections to those hours raised by Responsible Authorities or other persons on the basis of the licensing objectives. However, when dealing with licensing hours beyond midnight it is more likely that relevant representations will be made unless there are higher standards of control within operating schedules to promote the licensing objectives, especially for premises which are situated near residential areas or in areas where anti-social disorder takes place.
- 3.4 Section 6.4 of the policy states: The terminal hours will normally be approved where the Applicant can show that the proposal would not adversely affect the licensing objectives unless, after hearing relevant representation the Licensing Authority believe it necessary, proportionate and reasonable to restrict the hours required. The Licensing Authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area.
- 3.5 Paragraph 10.14 of Guidance issued under Section 182 of the Licensing Act 2003 states: where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested.
- 3.6 Paragraph 10.15 of the Guidance then continues: Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is

open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours. Section 6.8 of the Policy gives the following as reasons for a restriction: 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 Section 10.2 of the Policy states: When deciding whether or not to limit access to children the Licensing Authority will judge each application on its own individual merits. Examples which may give rise to concern and warrant restrictions in the operating schedule include premises: -
- ❑ where entertainment of an adult or sexual nature is provided
 - ❑ where there is a strong element of gambling taking place
 - ❑ with a known association with drug taking or dealing
 - ❑ where there have been convictions of the current management for serving alcohol to minors
 - ❑ with a reputation for allowing underage drinking
 - ❑ where the supply of alcohol for consumption on the premises is exclusive or primary purpose of the services provided at the premises.
- 3.9 The desired outcome is a determination of the application with reasons provided which relate to the four licensing objectives and when conditions are imposed, that these are appropriate to address the licensing objectives.

4. Options available and consideration of risk

- 4.1 The Licensing Authority may decide to impose additional conditions to address the four licensing objectives, or to amend or remove requested licensable activities. When coming to their decision the Licensing Sub-Committee must give consideration to the Section 182 Guidance and the Statement of Licensing Policy. Reasons must be given which relate to the licensing objectives for any decision made.
- 4.2 The Sub-Committee will need to consider the hours of operation proposed, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential properties, the history of the management of the premises (if applicable), the evidence provided of any problems in the past, the likely impact of any extension of

hours and activities, public transport, taxi availability, the right the applicant has to operate a business and balancing the rights of residents to the quiet enjoyment and privacy of family life. The South Hams relies on tourism, with the population in the district doubling in the summer months with holidaymakers both from this country and international visitors who are, in the main, families with young children and retired people – the very segment of society who would perhaps be deterred by anti-social behaviour. These, and any other relevant issues, may be explored at the hearing in so far as it reflects the four licensing objectives.

4.3 A decision made by the Licensing Sub-Committee may be appealed by the applicant or any person who has made relevant representations. The right of appeal is to the Magistrates’ Court by virtue of Section 181 and Schedule 5 of the Licensing Act 2003. The Magistrates’ Court may dismiss the appeal, or substitute its own decision, or send back the case to the Licensing Authority with directions as to how the case is to be dealt with. The Magistrates’ Court may make any costs order it thinks fit.

4.4 The Licensing Act 2003 contains a provision which enables a responsible authority or any other person to apply to this Licensing Authority for a review of the premises licence once granted. A hearing follows which enables the Sub-Committee to use the normal powers available, but also to suspend the licence for a period of up to three months or to withdraw it.

5. Proposed Way Forward

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

- i) grant the application as submitted, subject to any Mandatory Conditions required;
- ii) modify the conditions of the licence;
- iii) exclude any of the licensable activities to which the application relates;
- iv) to refuse to specify a person in the licence as the premises supervisor;
- v) reject the application,

in line with the licensing objectives (Section 4) 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 18) that in dealing with a new 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"> (a) to grant the licence subject to:- <ul style="list-style-type: none"> i) the conditions mentioned in section 18 (2)(a) [ie as applied for] modified to such an extent as the authority considers necessary for the promotion of the licensing objectives, and ii) any conditions which must under section 19, 20 or 21 be included in the licence; (b) to exclude from the scope of the licence any of the licensable activities to which the application relates; (c) to reject 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>
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		<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 2.3). 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 2.3 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 – premises licence application and plan

Appendix B – amendments agreed between the Police and the Applicant

Appendix C – representations

Appendix D – location map and photographs

Background Papers:

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

Agreement from Applicant to Police amendments

Consent to be DPS form

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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


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

I/WE PAUL BRIAN MATTHEWS
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description MR TORRES LINDENHAYNE & 8C WEST STREET HINDLEIGH TAUNSTOCK DEVON		
Post town	TAUNSTOCK	PL19 8AD
	Postcode	

Telephone number at premises (if any)	
Non-domestic rateable value of premises £	17,000

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

a) an individual or individuals *

please
complete
section
(A)

b) a person other than an individual *

- | | | |
|---|---|--------------------------------------|
| | partnership | (B) |
| ii | as a partnership
(other than
limited liability) | please
complete
section
(B) |
| iii | as an
unincorporated
association or | please
complete
section
(B) |
| iv | other (for
example a
statutory
corporation) | please
complete
section
(B) |
| c) a recognised club | | please
complete
section
(B) |
| d) a charity | | please
complete
section
(B) |
| e) the proprietor of an educational establishment | | please
complete
section
(B) |
| f) a health service body | | please
complete
section
(B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales | | please
complete
section
(B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | | please
complete
section
(B) |
| h) the chief officer of police of a police force in England and Wales | | please
complete
section
(B) |

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
I am making the application pursuant to a

statutory function or
a function discharged by virtue of
Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for)
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Surname MATHIESS		names PAUL BRIAN	
Date of birth 18 years old or over	I am	Please tick yes	
Nationality			
Current residential address if different from premises address		75 WEST STREET TAVISTOCK	
Post town TAVISTOCK	Postcode	PL9 8AS	
Daytime contact telephone number			
E-mail address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)
Surname		First names		
Date of birth 18 years old or over	I am	Please tick yes		
Nationality				
Current postal address if different from premises address				
Post town	Postcode			
Daytime contact telephone number				
E-mail address (optional)				

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)

Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
07	09	2017

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

FIRST FLOOR VAULTED PREMISES
 PRIVATE ENTRANCE
 OPEN PLAN ROOM WITH MIZANINE AIDED
 SMALL GLASSED CATCHED ROOFED AREA.
 STEAM PUNK 'THEMED' TO WORK IN
 CONNECTION WITH 'THE DINING ROOM'

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

✓
 ✓
 ✓

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

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

In all cases complete boxes K, L and MA

Plays Standard days and timings (please read guidance note 7)	<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
		Outdoors	
Day	Start	Finish	Both
Mon			<u>Please give further details here</u> (please read guidance note 4)
Tue			
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

B

Films Standard days and timings (please read guidance note 7)	<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	

Day	Start	Finish	Both
Mon			Please give further details here (please read guidance note 4)
Tue			
Wed			State any seasonal variations for the exhibition of films (please read guidance note 5)
Thur			
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

C

Indoor sporting events Standard days and timings (please read guidance note 7)	Please give further details (please read guidance note 4)		
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			

Sun			
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D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
		Outdoors	
Day	Start	Finish	Both
Mon			<u>Please give further details here</u> (please read guidance note 4)
Tue			
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

E

Live music Standard days and timings (please read	<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	Indoors
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		Outdoors		
Day	Start	Finish		Both
Mon				Please give further details here (please read guidance note 4)
	16:00	00:00		
Tue				
	16:00	00:00		
Wed				State any seasonal variations for the performance of live music (please read guidance note 5)
	16:00	00:00		
Thur				
	16:00	00:00		
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)
	16:00	00:30	00:30	
Sat				
	16:00	00:30	00:30	
Sun				
	16:00	23:00		

F

Recorded music Standard days and timings (please read guidance note 7)	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
		Outdoors	
			Indoors.
Day	Start	Finish	Both
Mon			Please give further details here (please read guidance note 4)
	16:00	00:00	CHRISTMAS EVE & NEW YEAR EVE
Tue			Additional close
	16:00	00:00	
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)
	16:00	00:00	
Thur			
	16:00		

Fri			<u>playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
	16:00	21:00	
Sat			
	16:00	01:00	
Sun			
	16:00	23:00	

G

Performances of dance Standard days and timings (please read guidance note 7)	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
		Outdoors	
Day	Start	Finish	Both
Mon			Please give further details here (please read guidance note 4) CHRISTMAS EVE & NEW YEAR EVE ADDITIONAL DANCE
	16:00	00:00	
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)
	16:00	00:00	
Wed			
	16:00	00:00	
Thur			
	16:00	00:00	
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
	16:00	01:00	
Sat			
	16:00	01:00	
Sun			
	16:00	23:30	

H

Anything of a similar	Please give a description of
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or (g) Standard days and timings (please read guidance note 7)	providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)
Mon			Indoors
			Outdoors
			Both
Tue			Please give further details here (please read guidance note 4)
Wed			
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)
Fri			
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)
Sun			

I

Late night refreshment Standard days and timings (please read guidance note 7)	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	INDOORS.
		Outdoors	
Day	Start	Finish	Both
Mon	23:00	00:00	Please give further details here (please read guidance note 4)

Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5) CHRISTMAS EVE & NEW YEAR EVE
	23:00	00:00	
Thur			ADDITIONAL CLEAR.
	23:00	01:00	
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)
	23:00	01:00	
Sat			
	23:00	01:00	
Sun			
	23:00	01:00	

J

Supply of alcohol Standard days and timings (please read guidance note 7)	Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	✓
		Off the premises	
Day	Start	Finish	Both
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 5) CHRISTMAS EVE & NEW YEAR EVE ADDITIONAL CLEAR.
	16:00	00:00	
Tue			
	16:00	00:00	
Wed			
	16:00	00:00	
Thur			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)
	16:00	01:00	
Fri			
	16:00	01:00	
Sat			
	16:00	01:00	
Sun			
	16:00	00:00	

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name		PAUL BRIAN MATTHEWS.	
Date of birth		[REDACTED]	
Address		75 WOOD STREET AUSTON	
Postcode		PL19 8AJ	
Personal licence number (if known)		PA3646	
Issuing licensing authority (if known)		BLACKPOLL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

NONE.

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)	State any seasonal variations (please read guidance note 5)	
Day	Start	Finish
Mon	16:00	00:00

Tue	16:00	20:00	
Wed			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p> <p>CHRISTMAS EVE &</p> <p>NEW YEAR EVE</p> <p>ADDITIONAL CLUB.</p>
	16:00	20:00	
Thur			
	16:00	20:00	
Fri			
	16:00	20:00	
Sat			
	16:00	20:00	
Sun			
	16:00	20:00	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

PLEASE SEE ATTACHED

b) The prevention of crime and disorder

PLEASE SEE ATTACHED

c) Public safety

PLEASE SEE ATTACHED

d) The prevention of public nuisance

PLEASE SEE ATTACHED

e) The protection of children from harm

PLEASE SEE ATTACHED.

Checklist:

Please tick to indicate agreement

I have made or enclosed payment of the fee.

I have enclosed the plan of the premises. ✓

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

I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.

I understand that I must now advertise my application.

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

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's collector or other duly authorised agent (see guidance note

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	<i>[Handwritten Signature]</i>
Date	11-08-17
Capacity	TENANT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)		
Post town	Postcode	
Telephone number (if any)		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)		

Notes for Guidance

1. 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.
2. 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

LICENSING OBJECTIVES

A) GENERAL

To promote all four licensing objectives we will keep:

Strong management controls & effective training of all staff so that they are aware of the premises license and the requirements to meet the four licensing objectives with particular attention to:

- a/ No selling of alcohol to underage people
- b/ No drunk or disorderly behavior on the premises area
- c/ vigilance in preventing the use and sale of illegal drugs
- d/ no violent & anti-social behavior
- e/ no harm to children

-Operating schedule providing the hours of operation and licensable activities during those hours

-Designated premises supervisor confirmed he is obliged to be in day-to-day control of the premises, to provide good training for staff on the licensing Act (training record) to make or authorize each sale.

-Clear 'challenge 25' information to prevent the supply of alcohol to under age

-CCTV system with recording available

As a licensed premises we know that it is necessary to carry out our functions or operate the business with a purpose of promoting these objectives. We promise to support these objectives through our operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies)

B) THE PREVENTION OF CRIME & DISORDER

A/ CCTV will be installed to monitor entrance, exits & other parts of the premises to address the prevention of crime objectives.

B/ A clear & legible notice outside the premises indicating the normal hours under the terms of the premises license during which license activities are permitted.

C/ Clear & conspicuous notices warning of potential crime activity, such as theft, that may target customers will be displayed.

D/ Not selling alcohol to drunk or intoxicated customers.

E/ Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.

F/ Prevention and vigilance in illegal drug use at the premises.

- G/ Staff to be trained in informing customers to use the premises in an orderly & respectful manner and to vacate quietly and orderly
- H/ The undertaking of door supervision, licensed by the Security Industry Authority upon Friday & Saturday evenings after 7pm
- I/ No drinks promotions will be undertaken within the licensed premises that encourage excessive consumption of alcohol & free tap water will be available

C) PUBLIC SAFETY

- A/ Internal & external lighting fixed to promote public safety objectives
- B/ Well trained staff adherence to environmental health requirements
- C/ A log book or recording system shall be kept upon the premises, in which shall be entered particulars if inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises license that requires the recording of such information
- D/ All parts of the premises and all fixtures and fittings and apparatus therein, door fastenings notices, lighting, heating, electrical, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition
- E/ Adequate access to be provide to the rear of the licensed property for emergency vehicle access

D) THE PREVENTION OF PUBLIC NUISANCE

- A/ Noise reduction measures to address the public nuisance objective:
 - 1) Prominent, clear & legible notices will be displayed at the exit requesting the public respect the needs of nearby residents and leave the premises and area quietly.
 - 2) The Glass roofed 'conservatory' to the rear of the premises, being the closest part of the licensed property to residential dwellings, will be internally clad to ceiling space to dampen noise seepage and undertaken as a bottle and cellar storage with doors to reduce noise seepage and not used as a public area
 - 3) The external rear fire doors will remain closed to reduce the noise seepage and all windows will remain shut during operation hours
 - 4) The rubbish & bottle bins will not be emptied after the hours of 6pm each evening and not prior to 8am each morning
 - 5) The internal music volume, both amplified and 'live' music will be directly and solely under the control of the premises supervisor at all times. A decibel monitor will be within the premises to monitor and record levels of sound from within. Regular checks will be carried out externally as to noise emmitance from the licensed property.
- B/ Deliveries of goods will be undertaken at such times or in such a manner

as to prevent nuisance and disturbance to nearby residents

C/ Customers will be asked not to stand around loudly talking in the street outside the premises

D/ Customers will not be permitted to enter the premises above opening hours

E/ Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents

F/ Adequate waste receptacles for use by customers will be provided to reduce litter

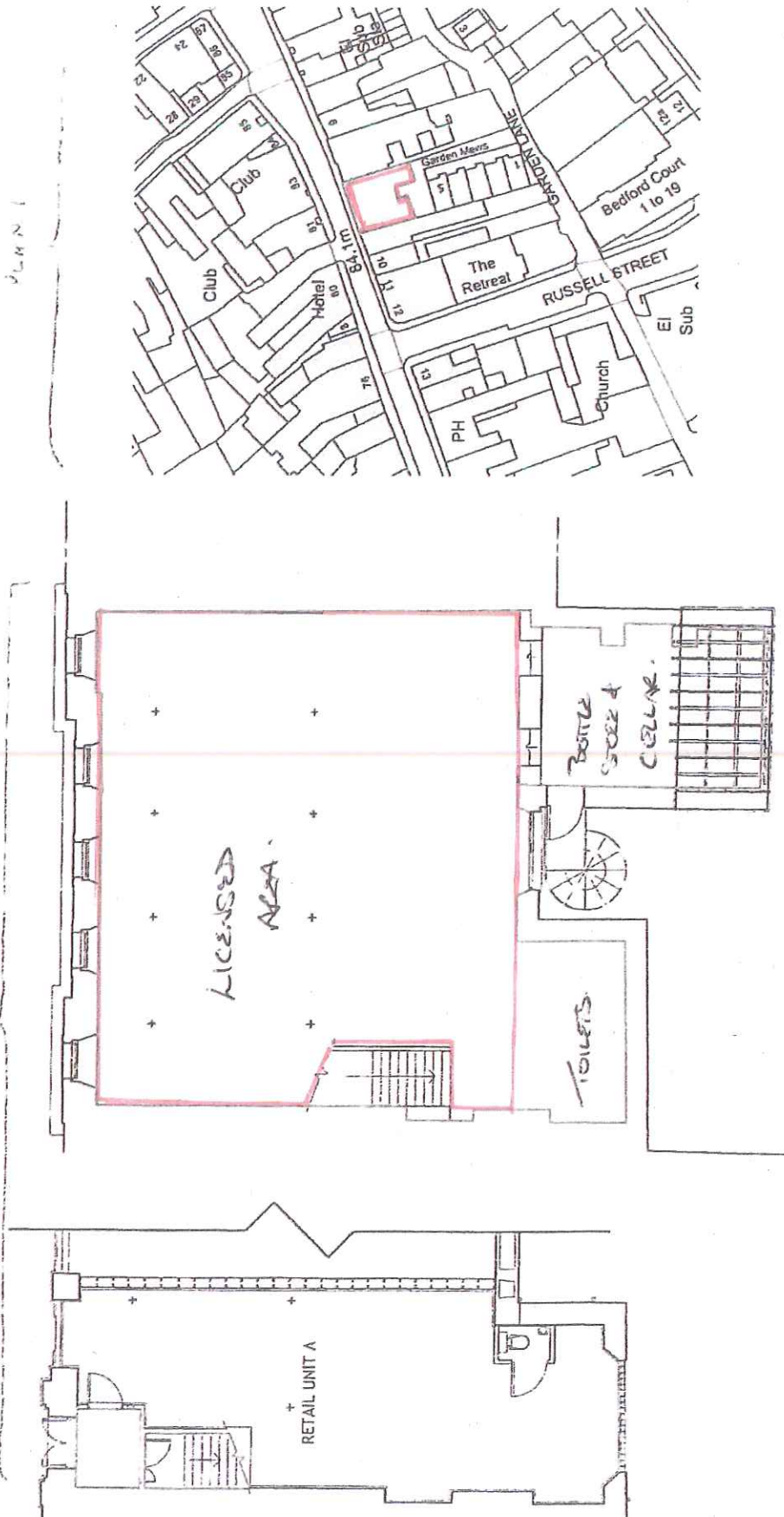
G/ A designated taxi operator will be nominated for staff and customers use. The company's telephone number will be advertised to customers. The operator, and all drivers will be made aware they should arrive and depart quietly, should not sound vehicle horns nor leave engine running, to reduce noise to local residents.

E) THE PROTECTION OF CHILDREN

A/ 'Challenge 25' signage will be prominent within the building and we will adhere to this policy with force.

B/ Any customer who we feel looks 25 or under will be asked for acceptable ID (a card bearing the PASS hologram, a photographic driving license or passport)


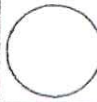
C/ No entry to licensed property by any child or any person appearing to be under the 'challenge 25' scheme



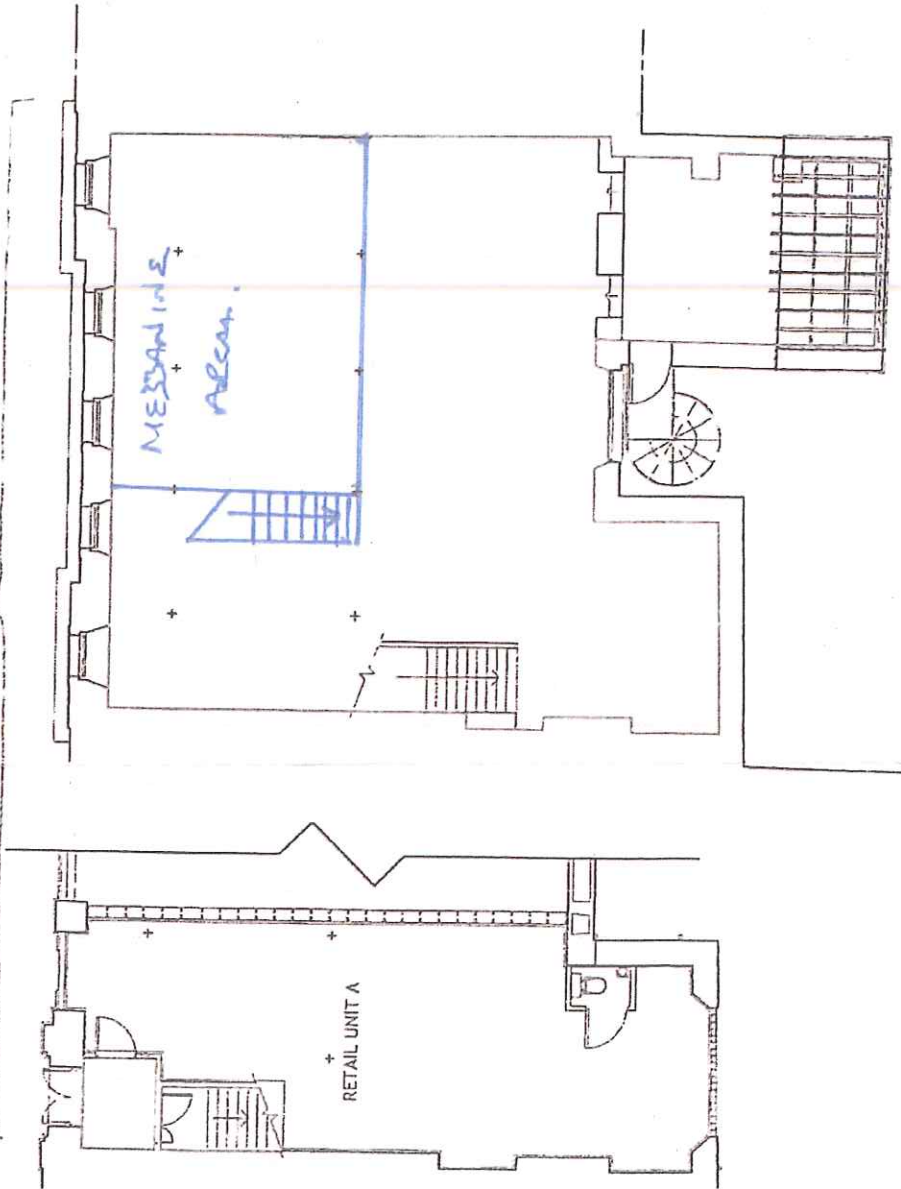
OS MAP - 1:1250

FIRST FLOOR

GROUND FLOOR

	<p>7 The Crescent Plymouth Devon 01752 201748</p>	<p>Client Peter Brown</p>	<p>Title 8 West Street, Tavistock Lease Plan</p>	<p>NOTE: Not to be scaled for construction purposes NOTE: To be read in conjunction with all other project drawings</p>	<p>Date 20/02/14 Drawing No. 50597-10</p> <p>Scale 1:100</p> 
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PLAN 2



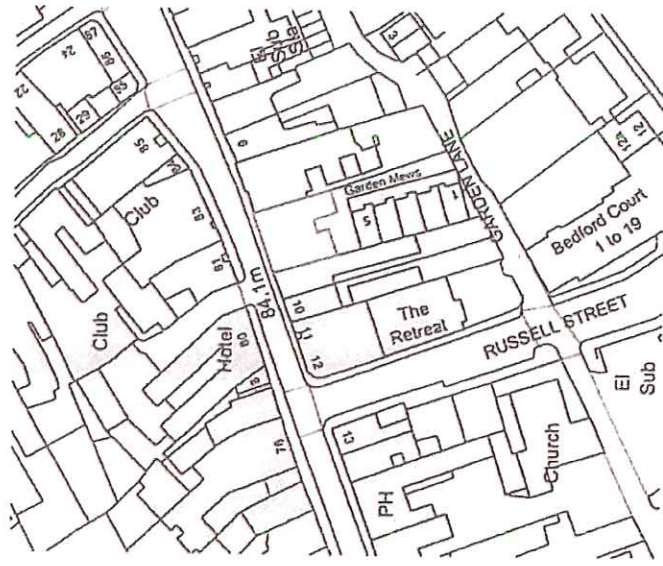
GROUND FLOOR

FIRST FLOOR

OS MAP - 1:1250

ADDITIONAL PLAN DETERMINING MESSANINE AREA

PLAN 1



7 The Crescent
Plymouth
Devon
01752 201748

Client

Peter Brown

Title

8 West Street, Tavistock
Lease Plan

NOTE: Not to be scaled for
construction purposes

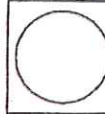
NOTE: To be read in conjunction
with all other project drawings

Ohn 20/02/14

Drawing No.

50597-10

Scale



Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD
Amendments to Premises Licence Application

These are the amendments to the hours and conditions as agreed between the Applicant and the Police.

Licensable activities and hours:

Amend the following times as per the application:

L Opening times of the premises **amended**

Monday –Thursday	16:00-00:00
Friday & Saturday	16:00-00:30
Sunday	16:00-00:00

I Late Night Refreshment **amended**

Monday –Thursday	16:00-23:30
Friday & Saturday	16:00-00:00
Sunday	16:00-23:30

A reduction of 30 minutes each day to allow for the food sales to end 30 minutes prior to the close of the premises, to ensure patrons have time to consume food purchased within the premises.

J Supply of Alcohol **amended**

Monday –Thursday	16:00-23:30
Friday & Saturday	16:00-00:00
Sunday	16:00-23:30

A reduction for 30 minutes each day to permit 'drinking up time' to allow patrons to consume alcohol purchased prior to the closure of the premises.

The times for all regulated entertainment activities to be amended to the same as Opening times as per L above.

Conditions:

The following conditions to be included, in addition to those conditions on the original application (except for those specifically removed):

A) GENERAL (*agreed additions to the licence are shown in blue, conditions to be removed are detailed in orange.*)

Inclusion of an additional conditions regarding staff training:

All staff will be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions.

The training will be recorded in documentary form that will be available for inspection on at the time of a request by a member of any relevant authority. The records will be retained for at least 12months.

B) THE PREVENTION OF CRIME AND DISORDER:

Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD
Amendments to Premises Licence Application

Removal of condition

14 The undertaking of door supervisor, licenced by the SIA upon Friday and Saturday evenings after 7PM.

To be replaced with:

All door staff shall be trained in the requirements of the Challenge 25 policy the identification & recognition of drunks and the correct procedure to be followed when refusing service.

All door supervisors will comply with SIA requirements relating to the availability of registration documents for inspection.

The Premises Licence holder and/or DPS will ensure door supervisors are properly briefed and trained to manage queues in a safe and efficient manner.

The Premises Licence holder and DPS will ensure door supervisors do not allow any drinking vessel, glass or bottle to be taken from the premises.

All door supervisors employed at the entrance / exit of the licensed premises will wear high visibility clothing at all times.

All Door Staff engaged in searching persons (as a condition of entry) shall be fully trained in the use of their powers to do so. In addition they will be trained in the contents of the Drugs Policy for the premises.

The Premises Licence Holder and the DPS will maintain a register of door supervisors employed at the premises. The register will detail the day, time and date the door supervisor commenced duty, full name legibly written, SIA licence number, the name of the employer, the time duty ends and the name of the person in charge of the premises on that date. The register will be kept at the premises and be available for inspection at the time of request by a member of any relevant authority. The records will be retained for at least 12months.

2 SIA door staff will operate at the premises each Friday and Saturday night, until the premise is closed.

The Premises Licence holder and DPS will employ a sufficient number of door supervisors to ensure a safe, quiet and orderly dispersal of customers from the premises and the immediate vicinity of the premises, particular attention will be paid to the management of patrons exiting the premises after midnight.

Additional conditions sought for the prevention of crime and disorder:

The collection of glasses and bottles will be undertaken at regular intervals to ensure there is no build-up of empty receptacles in and around the premises

CCTV

Remove condition below

7. – CCTV will be installed to monitor entrance, exits and other parts of the premises to address the prevention of crime objective.

**Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD
Amendments to Premises Licence Application**

To be replaced with:

The Premises Licence Holder will ensure that a CCTV system which is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document regarding installation of CCTV.

The CCTV will cover areas of the premises to which the public have access including any outside areas/entrance/exit.

Images will be retained for a minimum of 31 days

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

At all times the premises are open for business a member of staff will be present who is capable of operating the system and downloading images at the request of police or a member of a responsible authority.

The CCTV system will be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.

No drinking vessels shall be removed from the premises, by patrons smoking in the street/entrance.

There will be no admissions or readmissions to the premises after 00:00hrs – Friday and Saturday.

SUBSTANCE MISUSE

Removal of condition

12. Prevention and vigilance in illegal drug use at the premises

Replace with:

The Premises Licence holder will provide a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises.

The drugs policy will be part of the operating schedule and be the subject of training for all members of staff.

Records will be maintained detailing the time and date of the training, the people who received the training, and the name of the person delivering the training. The records will be available for inspection at the time of request by a member of any relevant authority. The records will be retained for at least 12months

C) PUBLIC SAFETY

No persons are permitted to queue on the stairs, the area will be kept clear except for the purposes of entrance and egress.

Proof of Age Scheme – Challenge 25 * additional condition to support the conditions included within the application.

All staff will be trained in this policy and reminded about it frequently. All training shall be recorded in documentary form that will be available for inspection at the

Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD
Amendments to Premises Licence Application

request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12months.

The Licence Holder shall ensure a sales refusal register is maintained to include details of all alcohol sales refused and the reason for refusal. The refusals register should be made available to an authorized enforcement officer on request.

1

Naomi Stacey

From: HENDERSON Nicola 56158
<Nicola.HENDERSON@devonandcornwall.pnn.police.uk>
Sent: 25 August 2017 11:11
To: SW-Licensing
Cc: Naomi Stacey
Subject: POLICE Representation Mr Foggs Tavistock
Attachments: Representation Mr Foggs Tavistock.docx; mr foggs (003).docx

Good morning

Please find attached a copy of the Police Representation in relation to the grant of a premises licence for Mr Foggs's WineMonger and Mixologist - 75 West Street TAVISTOCK PL19 8AJ

As you are aware a reduction in operating times and a number of additional conditions have been agreed between the applicant and police, an email was sent to the council yesterday from the applicants to inform you of the agreed changes. I therefore ask the council to refer to this and the attached documentation.

The police are satisfied that if the licence is produced in line with the amendments and additions contained within the attached documentation, no further police objection would be required.

I would be obliged if the council will acknowledge receipt of the representation, supporting documentation and liaise with me with regards to progressing a hearing if required.

Kind regards

Nicola

N. Henderson
Police Licensing Officer

Force Licensing Team
Local Policing Partnerships
Launceston Police Station Moorland Road
Launceston Cornwall PL15 7HT
01566 77 13 09
licensingwest@devonandcornwall.pnn.police.uk

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For more information, or to contact us, please visit us at www.devon-cornwall.police.uk or www.dorset.police.uk or e-mail 101@devonandcornwall.pnn.police.uk or 101@dorset.pnn.police.uk

LICENSING REPRESENTATION FORM

Section 1: Licence Application Details

✓ I wish to **object** to the following application

NAME OF APPLICANT (if known):

Paul Brian Matthews

PREMISES NAME AND ADDRESS:

Mr Fogg's Wine monger & Mixologist – 75 West Street TAVISTOCK PL19 8AJ

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE Mr Mrs Miss Ms Other (please state) _____

SURNAME _____ FORENAMES _____

ADDRESS _____

_____ POST CODE _____

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

SECTION 3: Representative Details

[If you represent residents or businesses, please complete the details below]

NAME OF REPRESENTATIVE/ORGANISATION

- Nicola Henderson – Police Licensing Officer on behalf of the Chief Officer of Police
- Devon & Cornwall Police

ADDRESS OF REPRESENTATIVE/ORGANISATION

Launceston Police Station
Moorland Road
Launceston
Cornwall
PL15 7HY

I AM (tick as appropriate):

- Representative of residents association Representative of trade/business association
 Other -Responsible Authority Ward Councillor
 MP

Section 4: Reason(s) for Representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

Licensing Objective	Reason for Representation
<p style="text-align: center;">Prevention of Crime & Disorder</p>	<p>It is the police view that the later hours applied for on Thursday/Friday and Saturday evenings (<i>until 01:00 hrs</i>) will lead to a migration of inebriated persons arriving/exiting the premises at or after midnight when other licensed premises have closed or are closing.</p> <p>This increases the likelihood of an escalation in crime and disorder/anti-social behaviour in the vicinity of the premises.</p> <p>The premises are situated in very close proximity to a number of public houses, bars and a night club. The area further comprises of retails shops, hotel/B&B accommodation and residential dwellings. There have been reports of criminal damage and anti-social behaviour related to the evening and night time economy in the area.</p> <p>Opening hours of 01:00 (Thursday/Friday and Saturday) may result in people lingering in the surrounding area in an inebriated state, potentially increasing levels of crime and disorder.</p> <p>The information provided within the application <i>Licensing Objectives</i> contain a number of statements of good intent by the applicant, however provide little detail on how patron control and the licensing objectives will be will be achieved or</p>

	<p>the wording/terminology used renders the condition unenforceable.</p> <p>The licence, if granted will greatly benefit from additional control measures in the form of proportionate & enforceable conditions and a reduction in operating times on Thursday/Friday and Saturday evenings.</p> <p style="text-align: center;">PLEASE NOTE:</p> <p>A reduction in operating times and a number of additional conditions have been agreed between the applicant and police. I therefore ask the council to refer to the attached document.</p> <p>The police are satisfied that if the licence is produced in line with the amendments and additions contained within the attached documentation, no further police objection would be required.</p>
<p style="text-align: center;">Prevention of Public Nuisance</p>	<p>Late night noise nuisance will be caused due to the hours applied for on Fridays and Saturdays.</p> <p>Groups of intoxicated people exiting the premises at 01:00hrs (Thursday/Fridays/Saturdays), increases the potential for public nuisance, including 'people noise' and drunken behaviour.</p> <p>The hours applied for past on Thursday/ Fridays/ Saturdays will result in a higher proportion of intoxicated customers using the premises increasing the needing additional control measures.</p>
<p style="text-align: center;">Protection of Children from Harm</p>	<p>Additional conditions are sought by police, to support the protection of children for harm – the applicant has agreed to the additional measures sought by police. See attached for conditions.</p>
<p style="text-align: center;">Public Safety</p>	<p>The premises is accessed via a large staircase, the police have requested conditions to address potential safety concerns relating to a queue forming in this area. The applicant has agreed to a condition to address this issue. This area will also be covered by CCTV.</p>

I Nicola Henderson, hereby declare that all information I have submitted is true and correct

SIGNED: *N Henderson*

DATED: 24/08/17

Please send the completed form to the local authority area in which the premises concerned is situated:

Licensing Department
West Devon Borough Council
Kilworthy Park
Tavistock
Devon
PL19 0BZ

Tel: 01822 813 600
Fax: 01822 813 600
Email: licensing@westdevon.gov.uk

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

Tel: 01803 861 234
Fax: 01803 861 294
Email: licensing@southhams.gov.uk

IMPORTANT NOTE: This form must be returned within the statutory period which is generally either 10 working days or 28 consecutive days from the date the Public Notice was displayed on the premises. Please contact your relevant Licensing Team for confirmation of this date.

Timings

Amend the following times as per the application:

L Opening times of the premises **amended**

Monday –Thursday 16:00-00:00
Friday & Saturday 16:00-00:30
Sunday 16:00-00:00

I Late Night Refreshment **amended**

Monday –Thursday 16:00-23:30
Friday & Saturday 16:00-00:00
Sunday 16:00-23:30

A reduction of 30 minutes each day to allow for the food sales to end 30 minutes prior to the close of the premises, to ensure patrons have time to consume food purchased within the premises.

J Supply of Alcohol **amended**

Monday –Thursday 16:00-23:30
Friday & Saturday 16:00-00:00
Sunday 16:00-23:30

A reduction for 30 minutes each day to permit 'drinking up time' to allow patrons to consume alcohol purchased prior to the closure of the premises.

*times for Regulated Entertainment as per the agreement with EHO or to coincide with the closing times of the premises.

Conditions

It is the police view that a number of the conditions contained within the application indicate the intention of the premises to operate in support of the licensing objectives, however are unenforceable.

The following amendments are sought:

- A) GENERAL (*agreed additions to the licence are shown in blue, conditions to be removed are detailed in orange.*)

Inclusion of an additional conditions regarding staff training:

All staff will be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions.

The training will be recorded in documentary form that will be available for inspection on at the time of a request by a member of any relevant authority. The records will be retained for at least 12months.

- B) THE PREVENTION OF CRIME AND DISORDER:

Removal of condition

H The undertaking of door supervisor, licenced by the SIA upon Friday and Saturday evenings after 7PM.

To be replace with:

All door staff shall be trained in the requirements of the Challenge 25 policy the identification & recognition of drunks and the correct procedure to be followed when refusing service.

All door supervisors will comply with SIA requirements relating to the availability of registration documents for inspection.

The Premises Licence holder and/or DPS will ensure door supervisors are properly briefed and trained to manage queues in a safe and efficient manner.

The Premises Licence holder and DPS will ensure door supervisors do not allow any drinking vessel, glass or bottle to be taken from the premises.

All door supervisors employed at the entrance / exit of the licensed premises will wear high visibility clothing at all times.

All Door Staff engaged in searching persons (as a condition of entry) shall be fully trained in the use of their powers to do so. In addition they will be trained in the contents of the Drugs Policy for the premises.

The Premises Licence Holder and the DPS will maintain a register of door supervisors employed at the premises. The register will detail the day, time and date the door supervisor commenced duty, full name legibly written, SIA licence number, the name of the employer, the time duty ends and the name of the person in charge of the premises on that date. The register will be kept at the premises and be available for inspection at the time of request by a member of any relevant authority. The records will be retained for at least 12 months.

2 SIA door staff will operate at the premises each Friday and Saturday night, from 20:00 hrs until the premise is closed.

The Premises Licence holder and DPS will employ a sufficient number of door supervisors to ensure a safe, quiet and orderly dispersal of customers from the premises and the immediate vicinity of the premises, particular attention will be paid to the management of patrons exiting the premises after midnight.

Additional conditions sought for the prevention of crime and disorder:

The collection of glasses and bottles will be undertaken at regular intervals to ensure there is no build-up of empty receptacles in and around the premises

CCTV

Remove condition below

A – CCTV will be installed to monitor entrance, exits and other parts of the premises to address the prevention of crime objective.

To be replaced with:

The Premises Licence Holder will ensure that a CCTV system which is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document regarding installation of CCTV.

The CCTV will cover areas of the premises to which the public have access including any outside areas/entrance/exit.

Images will be retained for a minimum of 31 days

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

At all times the premises are open for business a member of staff will be present who is capable of operating the system and downloading images at the request of police or a member of a responsible authority.

The CCTV system will be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.

No drinking vessels shall be removed from the premises, by patrons smoking in the street/entrance.

There will be no admissions or readmissions to the premises after 00:00hrs – Friday and Saturday.

SUBSTANCE MISUSE

Removal of condition

F/ Prevention and vigilance in illegal drug use at the premises

Replace with:

The Premises Licence holder will provide a written drugs policy detailing the actions to be undertaken to minimize the opportunity to use or supply illegal substances within the premises.

The drugs policy will be part of the operating schedule and be the subject of training for all members of staff.

Records will be maintained detailing the time and date of the training, the people who received the training, and the name of the person delivering the training. The records will be available for inspection at the time of request by a member of any relevant authority. The records will be retained for at least 12months

C) PUBLIC SAFETY

No persons are permitted to queue on the stairs, the area will be kept clear except for the purposes of entrance and egress.

Proof of Age Scheme – Challenge 25 * additional condition to support the conditions included within the application.

All staff will be trained in this policy and reminded about it frequently. All training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12months.

The Licence Holder shall ensure a sales refusal register is maintained to include details of all alcohol sales refused and the reason for refusal. The refusals register should be made available to an authorized enforcement officer on request.

2

Naomi Stacey

From: Jan Smallacombe <[REDACTED]>
Sent: 30 August 2017 11:55
To: SW-Licensing
Subject: New Premises License - Mr Fogg's Winemonger & Mixologist, 8c West Street, Tavistock

The above Application was considered at last evening's Plans Committee Meeting. Please see below the concerns raised, and the final decision made;

- a) *A new Premises Licence Application had been received for Mr Fogg's Winemonger & Mixologist, 8c West Street, Tavistock, Devon PL19 8AD. Responses were required by the Licensing Department at West Devon Borough Council no later than 8th September 2017 (Appendix 2)*

Members of the Committee considered the three representations put before them.

A discussion ensued which included;

- the appropriateness, or not, of the siting of the proposed premises which has a large number of residential units in the vicinity*

The 4 main areas for objections to a Licensing Applications (as listed below) were covered by the following concerns being raised;

1) The prevention of crime and disorder –

- The increase in the potential for crime and public disorder from a large number of people exiting on to West Street from three Licensed premises in close proximity to each other, after the consumption of alcohol*

2) Public Safety –

- The pavement at the front of the building is fairly narrow, and it is presumed 'bouncers' will be required to ensure the 'over-25s only' rule is applied. By having additional people on the pavement to fulfil this function it could result in passers-by having to step into the road to pass by;*
- The fire exit is at the back of the property via a steep, metal spiral staircase into a narrow lane. In the event of a fire, it could be difficult for customers and staff to safely exit the premises*

3) The prevention of public nuisance –

- The noise from patrons leaving the premises in the early hours of the morning, particularly with another licensed premises being immediately opposite the road;*
- The noise from bottle collections at the rear of the property, immediately adjacent to residential properties, and possibly early in the morning;*
- The noise and debris from smokers using the back entrance as a smoking area;*
- The back lane to the premises is an un-adopted road, so the upkeep is financed by the local residents. Additional heavy traffic (i.e. alcohol deliveries/bottle collections) would lead to additional damage to the surface, which would be paid for by the residents, not the Licensees;*
- At least one of the properties in Garden Mews has windows directly facing the back entrance to the premises;*

- Residents will suffer 'light pollution' with the plan to have additional lighting at the rear of the property to allow safer access/exit using the fire escape, and for the smokers' area;
- Whilst it is accepted that the prospective Licensees plan to make improvements to the sound-proofing of the premises, it is anticipated that music being played into the early hours of the morning will be heard in nearby properties

4) The protection of children from harm –

- The potential for disturbed sleep due to increased noise levels (customers outside smoking or entering/leaving the premises, bottle collections etc), hearing foul language and potentially secondary smoking if bedroom windows are left open

A proposal was made, and seconded, to **OBJECT** to the Application. The ensuing Vote was carried.

I would be grateful if you would please acknowledge safe receipt of this response.

Regards

Jan

Jan Smallacombe
 Assistant to the Town Clerk
 Tavistock Town Council
 Tel ; 01822 613529
 E-mail ;janet.smallacombe@tavistock.gov.uk
 Website; www.tavistock.gov.uk

Tavistock Town Council
 Working for the local community

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3

Naomi Stacey

From: victoria shulberg <[REDACTED]>
Sent: 23 August 2017 11:53
To: SW-Licensing
Subject: Licence Application for Mr Fogg's 8c West Street

Dear Sir/Madam

I am writing to object to and oppose the granting of a licence for the above premises

I am writing as a close resident and also as Chairman of 7 West Street Management Limited, the adjoining residential property containing 6 apartments.

The granting of this Licence will have a profound nuisance effect on mine and nearby properties.

These are:-

Noise nuisance caused by the normal trading operation of the premises themselves, which abut directly two apartments (Apt 3 & Apt 4) London House managed by 7 West Street Management Ltd and are in close proximity (approx 15ft) of four others.

Noise nuisance caused by the comings and goings of Patrons to the First Floor and then the congregation of the same Patrons in West Street as they leave.

Noise, smoke and littering nuisance caused by Patrons congregating in West Street to smoke. May I draw your attention to the fact that this is a Listed building and therefore we are unable to replace the original fenestration - nor would we want to - with uPVC double glazing.

General nuisance in what is a very narrow section of West Street for deliveries and waste removal.

There are already several business's nearby which provide alcohol and music nearby; which were granted their Licences before 7 West Street was granted planning for residential use. I accepted that when I purchased my home 10 years ago.

However the granting of this Licence would have an added and unconscionably detrimental effect, not only on my quality of life but that of my fellow residents and near neighbours.

Kind regards

Victoria Shulberg
The Town House
Garden Lane

Tavistock PL19 8BQ



4

Naomi Stacey

From: Dr Jonathan Coghill <[REDACTED]>
Sent: 25 August 2017 10:17
To: SW-Licensing
Subject: Licence Application for Mr Fogg's 8c West Street

Dear Sir or madam

We wish to oppose the change of use of this property. We live at Flat 2 London House which adjoins the back of Mr Fogg's premises. We believe that approval for this application for music, dancing and selling of alcohol will have a detrimental effect on the quality of our lives. We already have many licensed premises nearby and do not feel that we need another. I am a doctor and my wife a nurse and would not appreciate the nuisance by disturbing our quality of life and sleep. The loss of the latter would be detrimental to our health and potentially our patients. We also think that too much drinking is detrimental to not only the persons themselves but also many others by their drunken behaviour - aggression, excessive noise and general anti-social behaviour.

The actual premises have only single glazing so noise will be an issue. It cannot be changed as it is a listed building. When we bought this home in 2016 this was not an issue as this was a retail unit and there was no issue about noise - certainly none in the evening. I cannot object more strongly on the change of use for these premises and so request that this application is rejected.

Yours sincerely

Dr Jonathan & Mrs Patricia Coghill

Sent from my iPad

5

Naomi Stacey

From: Michaela Pain <[REDACTED]>
Sent: 25 August 2017 13:11
To: SW-Licensing
Subject: Licence Application for Mr. Fogg's 8c West Street

Dear Sir or Madam

I am the owner of Flat 4 London House, West Street. I most strongly object to this application on the grounds that granting this licence will severely impact on the quality of life of residents not only of London House but others near by, in particular:

- Noise nuisance caused by the normal trading operation of the premises themselves, which will directly abut my flat. There will undoubtedly be considerable noise nuisance from Patrons as they arrive and depart the premises and from their use of the first floor. As London House is a listed building we are not in a position to instal double glazing.
- Smoke and associated littering nuisance as patrons will smoke outside the premises and leave stubs and no doubt add to the noise nuisance
- There are already several nearby businesses providing the same alcohol and music offering so there is absolutely no requirement for more.

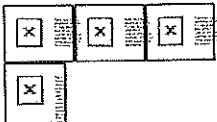
Regards

Michaela Emmanuel-Jones

Flat 4, London House, West Street

Michaela Pain

[REDACTED]



6

Naomi Stacey

From: Clare <[REDACTED]>
Sent: 25 August 2017 11:53
To: SW-Licensing
Cc: victoria shulberg; Sophie Stewart; Karen no 6; jonathancoghill@icloud.com;
Michaela Pain
Subject: License application for Mr Fogg's 8c West st Tavistock

Dear sirs.

I am writing to object in the strongest possible terms and oppose the granting of a license for the above property. The property adjoins my home and I spend a lot of my down time relaxing on my private patio, this application will ruin the tranquility that we all at London House work hard to enjoy.

Yours sincerely

Clare Knowles-Brown

Apt6 London house, 7 West St, Tavistock, PL19 8 AD [REDACTED] Sent from my iPhone

7

Naomi Stacey

From: Karen Taylor <[REDACTED]>
Sent: 28 August 2017 20:45
To: SW-Licensing
Subject: License application for Mr Fogg's 8c West st Tavistock

Dear Sir

I wish to strongly oppose the above application.

I own flat 5, London House, 7 West Street in Tavistock. Our building abuts the above and the granting of a licence to sell alcohol will in turn cause disturbance both during the day and night. This noise, cigarette smoking and music will have a detrimental impact on the quality of life of the residents in London House and of those individuals and families living in the immediate vicinity.

There is already much street noise and disturbance from other bars in the area, especially the Wetherspoons almost opposite. As a listed building the owners of London House are unable to install double glazing to deaden the sound.

I cannot see the need for another drinking establishment nor that having one will have a positive impact on the area.

Yours sincerely
Karen Taylor



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(8)

West Devon District Council

6, PLYMOUTH ROAD
TAVISTOCK
DEVON
PL19 8AY

30 AUG 2017

Tavistock Customer Services

██████████ - ██████████
26th August '17

RECEIVED

31 AUG 2017

To whom it may concern

Dear Sir,

I am a long standing resident in the town centre and already am disturbed by the late night revelry and the prospect of another premises offering late night drinking is intolerable.

My property backs on to the very narrow Garden Lane, opposite 8, West St, and in my opinion, there is inadequate provision to

an increase in use of this
particular part of Haristock,
meaning the closeness of all
the properties, lack of parking
etc. etc.

I hope, therefore, that you
will not permit this application.

Yours faithfully
Helen Hazlewood.

LICENSING REPRESENTATION FORM

West Devon Borough Council

30 AUG 2017

Tavistock Customer Services

Section 1: Licence Application Details

I wish to object to the following application I wish to support the following application

NAME OF APPLICANT (if known):

PAUL MATTHEWS

PREMISES NAME AND ADDRESS:

First Floor 8C, West Street
Tavistock

POSTCODE: PL19 8AD

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE Mr Mrs Miss Ms Other (please state) _____

SURNAME HAZLEWOOD FORENAMES HELEN

ADDRESS 6, PLYMOUTH RD, TAVISTOCK

(Back entrance in Garden Lane, opposite 8, West St.,)

POST CODE PL19 8AY

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

SECTION 3: Representative Details

[If you represent residents or businesses, please complete the details below]

NAME OF REPRESENTATIVE/ORGANISATION

ADDRESS OF REPRESENTATIVE/ORGANISATION

POST CODE

I AM (tick as appropriate):

- Representative of residents association Representative of trade/business association
 Ward Councillor Other (please specify)
 MP

Section 4: Reason(s) for Representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

Licensing Objective	Reason for Representation
Prevention of Crime & Disorder	There are already 4 licensed premises within a few hundred yards of this new application inevitably leading to an increase of what is often noisy and disorderly behaviour late into the night.
Prevention of Public Nuisance	This application is surrounded by residences in close proximity. Access is very limited at front & rear to delivery & service vehicles. No mention of provision for smokers which might provide a serious nuisance to near-by dwellings. Also music noise is unacceptable however controlled.

<p>Protection of Children from Harm</p>	
<p>Public Safety</p>	<p>There is added risk of access for emergency vehicles. Danger from increased use of narrow pavements and traffic in West Street. Access at rear of property in Garden Lane is very limited</p>

I Helen Hazlewood, hereby declare that all information I have submitted is true and correct

SIGNED: Helen Hazlewood DATED: 27th Aug. 2017

Please send the completed form to the local authority area in which the premises concerned is situated:

Licensing Department
West Devon Borough Council
Kilworthy Park
Tavistock
Devon
PL19 0BZ

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

Tel: 01822 813 600
Fax: 01822 813 600
Email: licensing@westdevon.gov.uk

Tel: 01803 861 234
Fax: 01803 861 294
Email: licensing@southhams.gov.uk

IMPORTANT NOTE: This form must be returned within the statutory period which is generally either 10 working days or 28 consecutive days from the date the Public Notice was displayed on the premises. Please contact your relevant Licensing Team for confirmation of this date.

9

Naomi Stacey

From: Phil Palfrey <[REDACTED]>
Sent: 30 August 2017 14:04
To: SW-Licensing
Subject: Representation 8c West Street Tavistock
Attachments: Mimecast Attachment Protection Instructions; West Street.pdf

Mimecast Attachment Protection has created safe copies of your attachments.

I wish to object to the Licensing Application for 8c West Street Tavistock PL19 8AD

Please find attached my Representation Form further evidence document regarding this.

The original Representation Form and the original of this document have been hand delivered to Kenworthy Park today.

I would like to make personal representation at any meeting regarding this and ask to be given notice of when this will occur.

Please contact me if you need any further information or have problems with this document. My home number is [REDACTED]

Regards

Philip Palfrey

This document is in addition to the Licensing Representation Form submitted and signed by me dated 28/08/2017

My name is Philip Palfrey and I am a resident of Tavistock living at 4 Garden Mews, Garden Lane Tavistock PL19 8FG. I have a declared greater interest in the Application for Licensing for 8c West Street as my home is within 5 metres of the rear of that property. My representation is to object to the proposed Application and this document provides the reasons and evidence for my objection.

I base my Representation on;

- 1 Prevention of Crime and Disorder – increased ASB etc.
- 2 Prevention of Public Nuisance – increased noise and disturbance to neighbours
- 3 Public Safety – means of escape and road safety

Please note that I ask to be informed of any Committee Meeting held in respect of this Application as I wish to make personal representation at it.

1 Prevention of Crime and Disorder

I am making representation by way of 4 objections to the Application in this section. (NB Part of the concerns raised in this section will also be used/apply in the Prevention of Public Nuisance and Public Safety sections.)

These are;

- 1) That the rear of the premises will be used as either an entry point for users or as a "smoking area" for customers and staff. The increase of public use during hours of darkness (the Application asks for use ranging from 16:00 – 01:00) will increase the risk of unsocial behaviour, use of offensive language in a public space, and the risk of damage to my property by vandalism or theft. The access to the rear of 8c West Street is directly past my only access point to my home. There is no public outside lighting in this area.

The Applicants have stated in a letter to residents that they propose to install external illumination. (See Letter to Residents below) Whilst it is not clear from the letter where this lighting will be, it is not unreasonable to assume that this will be to the rear of the premises, since there is public street lighting to the front. It would then afford the opportunity to make the rear area suitable as a smoking area or entrance as described above.

If the Applicants propose to use the front of the premises as a smoking area I object on the basis that there will be increased littering (cigarette ends and associated material) on the public highway – a Public Order Offence. (Also refer comments in Prevention of Public Nuisance section.)

- 2) That the front access to the premises has insufficient public paving space to allow safe and unhindered pedestrian use when customers are entering and leaving the premises. The pavement outside the premises is only 1.6m wide and is at one of the narrowest parts of West Street. (See Photo 1 & 2)

This would increase the likelihood of people having to step into the road, creating the potential for an accident or for people to damage any parked vehicles in the allocated parking spaces in the immediate vicinity

It is not unreasonable to expect a member of the public to be able to walk unheeded along a public pavement.

- 3) The increased risk of Anti Social Behaviour (ASB) and damage to property. It is unfortunate that people seem to consider ASB and damaging property as part of a night out. ASB occurrence in West Street and the surrounding area is well known.

Allowing a Licensing Application for 8c West Street would, I feel, increase the likelihood of this behaviour. (See Photo 3)

- 4) The potential for people who have been drinking to come into direct contact with others from similar premises and cause disorder. There is a public house directly opposite the entrance to 8c West Street.

Whilst I appreciate that people who socialise and have a drink do not necessarily intend to cause a problem, it is well established that those under the influence of drink (no matter how little) are more likely to cause disorder.

The Applicants state that they wish their customers to be in the 25+ age group, presumably to reduce the likelihood of potential trouble. Unfortunately age is not a barrier as to whether someone is likely to commit an offence or cause a disturbance, so in this regard it should not be considered when deciding whether a License should be granted.

By implying that their clientele will be more responsible in their actions (being 25+), the Applicants are trying, in my opinion, to distance themselves from any problems that may be caused after people have left their venue or after it has closed. If there are problems others will be forced to bear the cost of this, putting more strain on already stretched services. (i.e. Increased Police time, increased use of Ambulance/medics/hospitals, costs to repair damage caused etc.)

If the Applicants wish to use security staff to help alleviate this, I would object to their use for the same reason as my second point. (Lack of public pavement space.) I accept that the public house opposite also has limited pavement space in front of it. However, the public house has been an established premises for hundreds of years and therefore has an historical track record for operating. This Application is to use a building that has never been used for this purpose and therefore cannot show that.

I believe 8c West Street has only been used for commercial retail /office/residential purposes since construction and the suitability of it for use as licensed premises is questionable.

Tavistock is by and large a peaceful town but is not without having some problems of unlawful and unsocial behaviour. As a resident of Tavistock I do not wish to see any factors that could increase the chances of that problem escalating.

Please refer to www.police.uk/devon-and-cornwall/DEV.4019/crime/ to see a breakdown of reported crimes within Tavistock.

If there is an increased level of unlawful and anti-social behaviour it will have a knock on effect to both businesses and residents of the town.

These will include;

- (a) higher insurance costs, following increased risks and increased claims for damage etc.
- (b) reluctance for people to visit Tavistock, as it would gain a reputation for rowdiness and therefore suffer a subsequent drop in existing, repeat and future customers
- (c) reluctance for businesses to invest in the town, through an increased bad reputation
- (d) reluctance for people to live in Tavistock, particularly the central area, losing the essence and character of the town
- (e) a decrease in the value of Tavistock, both in cultural and financial terms, to residents, businesses and users of the town..

2 Prevention of Public Nuisance

My residence is within 5m of the rear boundary of 8 West Street and therefore I have a declared greater interest. (See Photo 4) I have 5 objections in this section.

My objections in this section are;

The additional noise that will be created by the owners and users of the premises.

The Applicants concede that there will be noise generated from the premises

In their letter to residents the Applicants state that they will increase the sound insulation of the premises "to minimise noise and disturbance." This may alleviate the volume level of noise. However, music, particularly at the lower frequency range, has the ability to penetrate through buildings no matter how well insulated they are and this will cause me disturbance at unreasonable times.

The building at 8c West Street is of an older construction and was not designed to contain modern levels of sound and vibration.

At present, and during the time these premises were used as an audio showroom, there was no significant noise generated. In fact during the time the premises were used as an audio showroom I was unaware of any noise being generated. If any noise had been generated it would have been during "normal" working hours i.e. 09:00-17:00 Monday - Saturday and presumably at times to demonstrate the goods on offer (i.e. to order and sporadic.)

Changing use to a venue for entertainment of music and dance will create continuous noise outside of these times and cause disturbance to me as a resident at unsocial hours 7 days a week causing my quality of life to be degraded.

The Applicants state "We want to create a welcoming, friendly environment, with music, but not so loud that you cant (sic) hold a conversation, like some places are."

The letter to local neighbours and the terms requested in the Application indicate that the venue would not have music at low level. If this were so, why would the Applicants wish to install further sound proofing and state they would keep doors closed to minimise noise and disturbance?

The Applicants state that they would keep doors closed to reduce the levels of noise. They do not state if windows and all other openings would also be closed, therefore it could be possible for noise to escape and so disturb me.

Keeping doors (and windows?) closed would cause ventilation and air quality issues for potential users. (See Public Safety below.)

Should the Applicants apply to install air conditioning to help resolve this I would object on at least two grounds.

These are;

- i) noise generated by the equipment which would be continuous and, by the nature of how it functions, would need to run outside of the proposed opening times to allow the inside of the premises to have reasonable air quality;
- ii) the installation of air conditioning equipment to the outside of the building would be against the character of the neighbourhood, a Conservation Area.

There are occasions, particularly at weekends, when I hear noise from people who have used similar venues within the town. For example, on warm evenings when it is not unreasonable for me to have an open window, I can hear the noise of conversations coming from the outside area (seating and smoking areas) of The Cornish Arms public house. This building is almost 100m away and across a road from my home. 8c West Street is 5m away from my home.

If the area to the rear of 8c West Street were to be utilised as either an entrance or smoking area, it would enable people to walk directly in front of my property, increasing the likelihood of disturbance to me at unsocial hours.

At the times after venues have closed (from 23:00 for most premises with one premises at 01:00 during week days; during the weekend from midnight and 01:00) there are many occasions when I can hear noise from people who have used these premises. This noise includes shouting, general rowdiness and noise from traffic (in particular there seems to be a group/individual who appear to use the local streets as a circuit, since the same engine noises can be heard over prolonged periods as the vehicles "do the rounds.")

The consequence and cost of licensed venues having late-night opening is too often paid for long after the premises have closed. These consequences are paid for through increased disturbance of adjoining neighbours and peace to other local residents, damage to property and littering.

At present I can expect to have a "quiet time" from between 01:00 and 06:30 during week days (also refer to collection of waste below.) At weekends (Friday/Saturday) this quiet time is further reduced due to the increased number of people having a night out. At weekends, disturbance can go on until 02:30 and beyond.

The current times noise occurs after existing premises have closed in the town lasts for in the region of 1 ½ hours. I would expect my window of peacefulness to decrease during week days due to the very close proximity of 8c West Street to my property (and the request to open until 01:00.)

That is to say I would expect to have 4 hours during the early hours when I could expect to have a reasonably quiet neighbourhood.

The current level of noise does, on occasion, have the effect of disturbing my sleep and if 8c West Street were to operate during the times requested it would substantially increase the likelihood of having more disturbed night's sleep.

It is well documented that irregular sleep patterns have a detrimental effect on health. (See <http://www.nhs.uk/LiveWell/sleep/Pages/sleep-home.aspx>)

The Applicants have requested a License to operate until after 23:00 and I feel it will increase the levels of late night noise, generated from the Applicants proposed site, further into the early hours until 01:00. (This will also increase until 02:00 on occasion – ref the hours requested on their Application)

Whilst I accept that I live in the centre of a town, I think it is reasonable to expect the level of noise generated by surrounding businesses and their customers should not significantly increase over and above present long-standing levels and certainly not further into times that are unsocial.

This part of central Tavistock has a high proportion of residential properties in relation to commercial premises. These commercial premises are mostly retail or offices with their opening times falling into 09:00-17:00 Monday – Saturday time range.

The Application for 8c West Street requests granting music and dancing permissions until 01:00. The use of 8c West Street as licensed premises would significantly increase the level of noise to me as a resident and would unduly affect my quality of life.

An exception to the above is The Ganges Restaurant which has opening times into the evening. This restaurant backs onto my property and so is closer than 8c West Street. However, the restaurant does not have or intends to use, to my knowledge, the premises for music and dancing. Therefore the noise level from this establishment is minimal.

The increased use of Garden Lane and Garden Mews being used as a urinal and litter dump

During the early hours there are no public conveniences open. Inevitably those that have had a drink need to relieve themselves. Garden Lane has been used for this purpose. Although it is difficult to catch someone in the act, it is evident that this has happened – stain marks on walls and odour for example.

Along with this there is litter dropping, ranging from cigarette ends through to takeaway food wrapping and cans etc

If 8c West Street were allowed to operate the likelihood of this happening will increase and will cause degradation to this neighbourhood, which in turn will affect the quality of life for all that live here.

The neighbourhood around West Street is in a Conservation Area and increased public littering would detract from the character of the town.

Increased littering would require additional cleaning to be carried out by the Council and others (i.e. Tidy Tavy) with additional costs in both time and money to those concerned. (NB Littering and urination in a public place are both Public Order Offences.)

Increased light pollution to my residence.

The only feasible place that would require external lighting would be to the rear of 8c West Street. This is within 5m of my home.

At present there is no lighting to the rear of 8c West Street or in the area directly outside my property. Because of this I do not suffer undue light pollution – a rare treat for someone living in the middle of a town.

Any installation of external lighting will directly affect this and degrade my quality of life.

The Applicants state that they will screen any lighting “to minimize the risk of disturbance.” In so doing the Applicants acknowledge that there will be light pollution generated from the installation of external lighting.

There are no reasons why external lighting needs to be installed to the rear of 8c West Street, unless the area is intended to be used by staff, customers, delivery people or waste collection services at times of darkness.

The disturbance caused by the delivery of goods and/or collection of waste.

The Applicants state that they would use the conservatory area for bottle storage. They do not state if this will be storage of goods or waste. In either case the access for delivery or removal of waste to the rear of 8c West Street would pass directly in front of my property and there is insufficient space for commercial vehicle access.

The noise of waste collection of empty bottles is very loud. The noise level of moving bottles, particularly empty ones, is a noise residents already have to endure and further noise of this type would considerably reduce the quality of life for the neighbourhood.

If the Application is granted, the majority of waste generated will consist of empty bottles due to the very nature of the proposed business.

The use of Garden Mews is unsuitable for commercial vehicular access to collect waste.

If a commercial vehicle were to use Garden Mews and/or Garden Lane, it would block the only means of access to my property and those of several other properties and businesses.

This could have a serious impact if, for example, any emergency services were required at my home. This could potentially put my welfare at risk.

The available width of Garden Lane where it joins Garden Mews is 3.5 – 3.6m from the edge of the end property (No 1) to the opposite boundary wall. (See photo 5)

The available width of Garden Mews is 3m from the edge of the properties to the opposite boundary wall. (See photo 6)

The surface of Garden Mews is not suitable for constant use by commercial vehicles as it was constructed to allow access for light vehicles to residents' garages. (See photo 4)

As both Garden Lane and Garden Mews are unadopted, any repair costs caused by damage through excessive use would fall jointly on me and neighbouring properties. I would consider this an unacceptable financial risk to bear and it would constitute a virtual subsidy to the overall operating costs of the business at 8c West Street. (I have copies of Deeds etc to show this.)

Currently commercial waste collection does not occur beyond Garden Lane. (See Photo 7 & 8) Collection of this waste occurs from any time after 06:30. It would not be unreasonable to assume that similar collection times would apply to 8c West Street and by the nature of the business this would be a very regular occurrence.

To allow collection of waste in Garden Lane, it would need to be moved to a pre-determine place in time for collection and this noise would cause an unacceptable disturbance to me as a resident.

To allow commercial waste collection of empty bottles and food requires using 1100 litre wheelie bins. This then raises the question of where they would be stored (it would not be practicable to use the conservatory area for this, so it would presumably be to the rear of the building.)

Putting empty bottles into 110 litre containers creates a high level of noise.

Having food waste storage would raise the chances of vermin infestation. This has been a problem in the past. (Please refer to SW Environmental Health Pest Control Request below.)

Moving the containers would cause a high level of noise, particularly when empty, due to the surface condition at the rear of the building and the surface material used in

Garden Mews. (See Photo 3 & 6) My sole living/dining room area and 1 bedroom in my property face Garden Mews.

Large wheelie bins (1100 litre) waiting for collection in Garden Mews would block access to my home. (Refer to Photo 6)

Wheelie bins waiting for collection in Garden Lane would (as a minimum) hinder entrance to my home and that of other users of Garden Lane. (Refer to Photo 5)

As a resident living in the centre of town I understand the need for early deliveries or waste collection to alleviate holding up traffic and reducing stress of other road users. I consider my personal toleration of this and the inconvenience it causes me, as part of my contribution toward community harmony. However, having a substantial increase in this would, I feel, be too high a price for a resident to bear

Similarly, any deliveries made via Garden Mews would have the same impact on the road surface along with the other associated points raised above. (Refer to Photo 9)

If deliveries and collections were made at the front of the premises it would cause considerable hold up and delay to road users of West Street. (One of only two streets that give vehicle access to Garden Mews via Russell Street.)

The suitability of change of use.

In 2014 an application was made to bring the first floor of 8 West Street back into A1 use.

In the decision note a condition was;

- 3 The premises shall not be open to the public outside the hours of 0900 to 1700 weekdays and Saturdays and shall not be open to the public at any time on Sundays and Bank Holidays.**

Reason: To safeguard the residential amenities of adjoining residential properties.

(Ref. WDBC Planning 00838/2014 -
<http://apps.westdevon.gov.uk/PlanningSearchMVC/Home/Details/144215>)

In 2011 an application was made to convert the premises to A3 use and as was subsequently withdrawn.

(Ref WDBC Planning 01860/2011 -
<http://apps.westdevon.gov.uk/PlanningSearchMVC/Home/Details/114563>)

In 2009 the approval of planning to change the first floor of 8 West Street into an art gallery (D1) the Chief Planning Officer made the following conditions:

3. The proposed first floor as outlined in blue on the approved plan 50597-02 rev b shall be used as a gallery use only and for no other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Amendment Order 2005.

Reason: To safeguard the amenities of adjoining residents

4. The proposed rear fire escape shall only be used as an emergency access point only and shall not be used as a main public access point.

Reason: To safeguard the amenities of adjoining residents.

(Ref WDBC Planning 12837/2009/TAV -
<http://apps.westdevon.gov.uk/PlanningSearchMVC/Home/Details/093582>)

It is reasonable to assume that the factors that brought about the conditions and reasons outlined above have not changed and therefore the Application for Licensing should not be considered.

The suitability of changing the use from retail premises to one that will become a late-night venue for drinking, eating, music and dancing (essentially a nightclub) in an area surrounded by residential properties would cause unreasonable disturbance to me as a resident and to my neighbours. The granting of the Application for Licensing would do this.

The Applicants state in their letter to neighbours that they "want to keep the venue a relaxed and user friendly venue."

The Application asks for opening hours well into the night, and for the provision of music and dancing.

The two previous statements conflict and bring into question what the actual intended use by the Applicants of 8c West Street would turn out to be.

Within a 100m radius of my home there are 9 licensed premises. (See Map 1 below) These establishments include restaurants, a public house, a hotel, a night club and another social club. There is also an application for a building currently empty for A3 use. (Ref West Devon Planning 01202/2015)

Within 200m of this proposed site there is an unoccupied public house and restaurant. (The Ordulph Arms and Terrace Restaurant) Both or either of these premises would be suitable for the Applicants, since they both have been used for the purposes

outlined in their Application. Since both these premises have closed, it brings into question the need for further licensed premises in the town. Had they been commercially viable, they would certainly have remained open.

Tavistock has a population of 12280 (2011 census.) It is a small, rural market town. It is also the only World Heritage town in Devon. People choose to visit and live in Tavistock for its' cultural heritage and unique character. It is not, by any standard, a 24 hour city or metropolis. The granting of this Application would significantly detract from the character of this town.

There are currently 30+ licensed premises within Tavistock. The need for another licensed premises is one too many. Even accounting for the tourist trade it would be difficult to see where enough numbers would come from to sustain this as well as the other licensed premises in the town.

When I made the choice to live where I do in the centre of town, I was fully aware that there would be some element of compromise between noise and convenience and I tolerate some level of noise during unsocial hours. However, this application would take this tolerance beyond that expected for a resident and therefore request most strongly that it be rejected as inappropriate.

I believe the Applicants have submitted this Liquor License without due regard to the character of Tavistock, a World Heritage Site; the immediate area, a conservation area; or, the residents that have made their home in the centre of this unique town, the very people that make Tavistock the community it is.

The proposed opening hours and use of premises.

The stated use of the premises and the License Application are at odds.

In their letter to neighbours the Applicants state that the venue will be "a high quality, service led wine bar" and that it "will be open Wednesday through to Sunday.....from 4pm on these days through to midnight/1am on a weekend night."

The Application requests opening from 16:00 until 01:00 (with an additional hour at other days) and for seven days a week. These times bring into question how the premises will be used.

Using the premises seven days a week into the early hours of the morning would have a severe detrimental effect on me as a resident and would be against the character of my immediate neighbourhood which is a mix of residential and retail/office premises. (Please refer back to " The suitability of change of use")

3 Public Safety

I have 3 objections in this section with the last two relating in part to the points raised previously.

- 1) The adequate provision of emergency exits and the suitability of those exits.
 - (a) The front entrance would spill out onto the (narrow) pavement;
 - (b) The rear entrance would use a spiral stairway. (See Photo 10)
- 2) If the premises have all doors closed during occupation I see a potential risk to users (the public) on two grounds;
 - a) Noise levels within the building – detrimental to hearing;
 - b) Ventilation of the premises – general wellbeing of users. (Refer also to comment regarding ventilation in Prevention of public nuisance section.)
- 3) The access to the premises from West Street poses a Public Safety hazard as described in the first section above.



1.6m

Photo 1; Pavement in West Street



8c

Photo 2; West Street

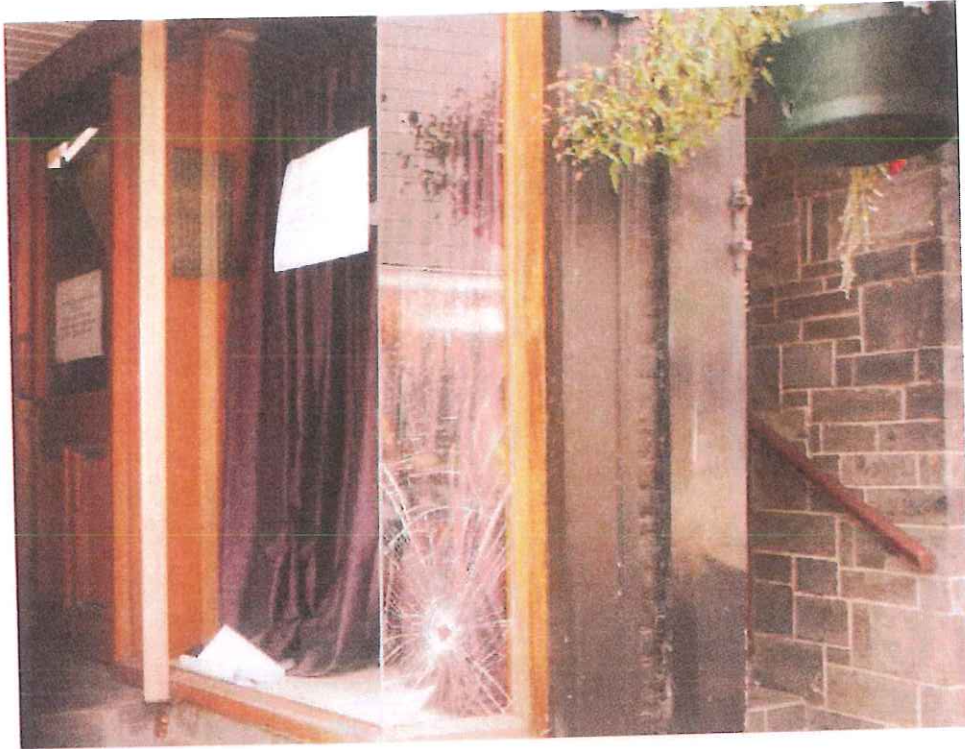


Photo 3; Damage to window of 5 West Street (taken 24/08/17)



**Photo 4; View of my house (left door) to rear of 8c West Street
(Note road surface construction)**



3.5 – 3.6m

Photo 5; Garden Lane looking towards Russell Street



3.0m

Photo 6; Garden Mews towards Garden Lane

(Note; Area under overhang forms part of owners' property)



Photo 7 & 8; Early morning commercial waste collection 18/08/17.

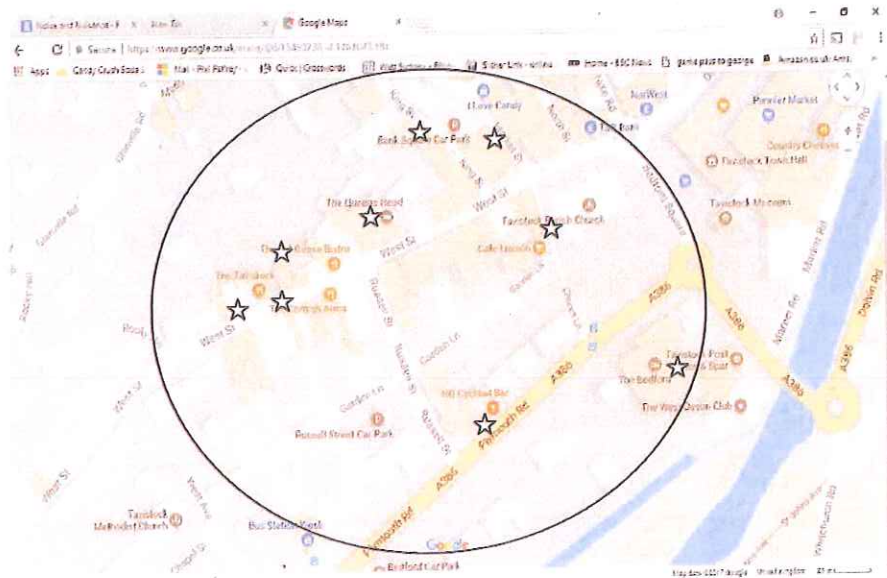
Note time of church clock (0655)



Photo 9; Example of delivery in Garden Lane



Photo 10; Spiral stairway at rear of 8c West Street
(Note condition of ground surface)



Map 1

List of licensed premises; Jack Chams; The Cornish Arms; The Dining Room; The Queens Head; The Tavy Club; Taylors Restaurant; Cafe Liaison; The Bedford Hotel; HQ. Note a further premises within this area has A3 use but is not currently operating (1 Church Lane)

Liquor License Application for First Floor 8c West Street, Tavistock

As you may be aware, we have submitted an application for an alcohol license on the above property (used to be Tavistock Audio showrooms)

We take over the building at the beginning of September. As your residential home is close to the property, we felt we should firstly introduce ourselves to you and also outline our plans for the building and its use, to hopefully way lay any concerns you may have.

Paul & myself own and run The Dining Room Restaurant on West Street also. We have owned and operated businesses within the leisure market for nearly 20 years now and have a wealth of experience as hands on operators. We will be undertaking the daily management of the property ourselves.

We are looking to convert the property into a high quality, service led wine bar called Mr Fogg's. We will have music within the building whilst open but this will be at levels that are pre set and managed by ourselves. We want to create a welcoming, friendly environment, with music, but not so loud that you cant hold a conversation, like some places are.

We are currently looking to be operational my the end of October and Mr Fogg's will be open Wednesday through to Sunday. The license application is available to view on the local council's web page. We are unsure to exact opening hours yet but the license application is from 4pm on these days through to midnight/1am on a weekend night.

To way lay any concerns you may have, the building has been sound proofed previously and we intend to increase this to minimize any noise from the building. We are not going to utilise the conservatory area at the rear, for public use, instead this will become bottle storage and will be further insulated to minimize noise and disturbance.

We have, on our application, put things in place to be included as requirements of the license to reduce disturbance to yourselves, as nearby residents. Rubbish and bottle bin empty not after certain times, customers to leave quietly without standing around, taxi service to arrive and depart quietly, all doors to remain closed whilst the venue is open, any external and internal lighting to be screened to minimize the risk of disturbance.

Letter to Neighbours (Part 1 of 2)

We are undertaking the challenge 25 national policy at Mr Fogg's as we want to keep the venue a relaxed and user friendly venue for the 25+ age group. We do not intend to have anyone under this age within the property as facilities for this age range is already available within the town.

We are committed to ensuring that the venue causes the minimum disturbance to yourselves and home, and both Paul and myself are happy to meet with you to discuss any aspects of the venue and operation that may concern you at this stage and indeed would welcome you to come and have a look around the building once we have the keys so we can show you, on site, what we have planned.

Should you wish to discuss any aspect in the mean time, please feel free to pop up to The Dining Room Restaurant (opposite The Cornish Arms pub) or email: buddiez47@icloud.com or telephone us 01822 259161

Many regards

Paul & Stephen

Letter to Neighbours (Part 2 of 2)

Pest Control Request (ref: <398927>)

SH

SW-Environmental Health
<Environmental.Health@swdevon.gov.uk>

Reply

Thu 04/05/2017 08:38

To:

'philpalfrey@hotmail.co.uk'

Dear Sir / Madam

Pest Control Request - Ref: 398927

Thank you for your pest control request. We have passed this on to County Mole Pest Control who should be in contact within 2 working days.

Please tell us how we might improve our service at www.westdevon.gov.uk.

West Devon Borough Council

SW Environmental Health Pest Control Request

Signed _____

Date 28/08/201

Philip Palfrey

10

West Devon Borough

30 AUG 2017

E M Perry
2 Garden Mews
Garden Lane
Tavistock PL19 8FG

Tavistock Customer Services

27 August 2017

Liquor License Application for First Floor
8c West Street, Tavistock
Objection

Living directly behind 8c West Street I am concerned about this liquor license for several reasons:

Music and dancing – noise and light pollution, whatever soundproofing is employed.
Certainly light pollution to No.5 Garden Mews.

Even if the 25+ rule maintains, although the checking of identity might be a problem, alcohol at whatever age can cause bad behaviour and noise in the streets – also having another licensed premises directly opposite, which has a dedicated smoking/drinking area to the side of that premises, could cause possible public order problems.

Food is to be served – where is the waste to be stored, (possible rodent problem, already experienced) also the bottles etc. when and how will this be collected – does this mean vehicles will be driven over the front of our shared homes, causing more wear and tear? Householders here are responsible for the cost of maintaining this driveway. Parking of large collection vehicles along Garden Lane is already a problem for residents and which we have to deal with frequently.

There is no rear entrance to 8c West Street unless the fire exit is to be compromised.
If that were to happen could we then expect that rear entrance to be used by the public who would then be able liable to access and depart over our property? We already have a problem with Garden Lane being occasionally used as a short cut into the town (and a latrine at times) by other, noisy customers leaving existing licensed premises.

Smokers – where are they to be allowed to smoke. I worry again that the fire exit platform might be used for this purpose – if not is the front, shared entrance porch on West Street to be used? With resulting smoke pollution/cigarette rubbish?

I have no doubt the present applicants are sincere in their thinking that they could keep all under control, but if at any time they gave up the premises would new owners do the same? Would the licence, if already granted, be automatically transferred to new, perhaps not so conscientious, owners?



30 AUG 2017

LICENSING REPRESENTATION FORM

Tavistock Customer Services

Section 1: Licence Application Details

I wish to object to the following application I wish to support the following application

NAME OF APPLICANT (if known):

Paul Matthews

PREMISES NAME AND ADDRESS:

First Floor, 8c West Street
Tavistock

POSTCODE: PL19 8AD

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE Mr Mrs Miss Ms Other (please state) _____

SURNAME PERRY FORENAMES EILEEN

ADDRESS 2 GARDEN MEWS, GARDEN LANE

TAVISTOCK POST CODE PL19 8FG

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

SECTION 3: Representative Details

[If you represent residents or businesses, please complete the details below]

NAME OF REPRESENTATIVE/ORGANISATION

ADDRESS OF REPRESENTATIVE/ORGANISATION

POST CODE

I AM (tick as appropriate):

- Representative of residents association Representative of trade/business association
 Ward Councillor Other (please specify)
 MP

Section 4: Reason(s) for Representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

Licensing Objective	Reason for Representation
Prevention of Crime & Disorder	Possible disorder resulting from alcohol consumption - broken windows in street etc. Directly opposite another licensed premises with possible conflict there.
Prevention of Public Nuisance	Access in narrow street, taxis etc: Shared entrance - smokers? Residential properties closely adjacent to rear especially - noise, light pollution etc.

<p>Protection of Children from Harm</p>	
<p>Public Safety</p>	<p>Emergency vehicles access = of front or rear (across my property). Road safety in narrow West Street, vehicles arriving or leaving etc.</p>

I.E.M. PERCY, hereby declare that all information I have submitted is true and correct

SIGNED: *I.E.M. Percy* DATED: 27/08/17

Please send the completed form to the local authority area in which the premises concerned is situated:

Licensing Department
West Devon Borough Council
Kilworthy Park
Tavistock
Devon
PL19 0BZ

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

Tel: 01822 813 600
Fax: 01822 813 600
Email: licensing@westdevon.gov.uk

Tel: 01803 861 234
Fax: 01803 861 294
Email: licensing@southhams.gov.uk

IMPORTANT NOTE: This form must be returned within the statutory period which is generally either 10 working days or 28 consecutive days from the date the Public Notice was displayed on the premises. Please contact your relevant Licensing Team for confirmation of this date.

11

Naomi Stacey

From: Mike Coombes <[REDACTED]>
Sent: 06 September 2017 20:10
To: SW-Licensing
Subject: Licensing Act 2003 – application by Mr Paul B Matthews in relation to 8c West Street, Tavistock

Dear Sirs

Licensing Act 2003 – application by Mr Paul B Matthews in relation to 8c West Street, Tavistock

I hereby register my objection to the above application.

Having considered the detail of the application as published on your website, I wish to object by reference to the four Licensing Objectives of the prevention of crime and disorder, public safety, prevention of public nuisance, and the protection of children from harm.

DEFINITION

8c West Street, Tavistock is hereafter referred to as the "subject premises".

CONTEXT

I am owner-occupier of residential premises at 5 Garden Mews, Garden Lane, Tavistock. I would estimate that my home is, at its closest point, 4 metres from the subject premises. With the exception of the other premises which are directly connected to the subject premises, I believe that my property is the closest residential building to the subject premises. My first floor living room window looks directly onto the subject premises. My main bedroom has a close side view of the subject premises. My second bedroom has a close tangential view of the subject premises. Directly to the front of my property is a shared private lane which is the sole rear access to the subject premises.

I am aware that previous planning permissions in relation to the subject premises have restricted opening hours to 0800-1800.

As far as I am aware there has been no Change of Use application to allow the operation of a bar and music venue at the subject premises.

There appears to be a contradiction between the information provided by the applicant in the form of a letter to neighbours, and the license application. The neighbour letter states that there will be music "not so loud that you can't hold a conversation" (which implies background music), but the license application includes allowance for "performances of dance" until 1am (which implies disco and/or live music).

I will summarise my objection in the context of the Licensing Objectives below, but in summary my objection and concerns relate mainly to the increase in noise, nuisance and disorder which will impact on residents in the vicinity of the subject premises should this application be approved.

I choose to live in a town centre location, and accept a certain level of disturbance as a result, but I do not wish the level of disturbance to increase, for me, for other local residents, and for the well-being of our town.

LOCATION AND ACCESS

I would strongly urge a site visit by Council officers, in order to better understand the highly restrictive access to the subject premises and the proximity to dwellings. There is no viable access for commercial vehicles, no turning space,

and the only service access is via a private lane mainly used by pedestrians, and via a private driveway shared by five residential properties.

PREVENTION OF CRIME AND DISORDER

I don't have ready access to crime statistics, but my perception is that much of the low-level crime and disorder in the town relates to late night drinking. I would ask that the crime statistics, and the views of Devon & Cornwall Police, are considered in relation to this application.

I am constantly disturbed by disorder from customers of late-night drinking premises in the town, particularly on Friday and Saturday nights when I am invariably woken in the early hours of the morning by shouting and disorder from persons leaving local late-night licensed premises and passing through Garden Lane on their way home or towards the "burger van" in Bedford Square.

For example, on 13/7/17 I emailed the Town Council regarding nearby disorder in the early hours of that morning from what sounded like trespass by drunken persons on a nearby building site (which was attended by the police, called by someone other than myself).

And for further example, I emailed West Devon licensing on 3/9/17 regarding excessive noise close to my property from apparently drunken persons starting at 2:07am that morning and continuing for close to an hour.

My understanding is that under the Licensing Act 2003, designated supervisors of Licensed Premises have a responsibility to ensure that persons under the influence of alcohol are not served with further alcoholic beverages. The level of drunkenness in the town, particularly on Friday and Saturday nights, would indicate that late-night licensed premises are not complying with this responsibility. I see no evidence of this licensing requirement being enforced. The licensing of a further late-night drinking venue can only worsen this situation.

PUBLIC SAFETY

Late night drinking in the town results in drunken behaviour and either perceived or actual erosion of public safety. See "Prevention of Crime & Disorder" above.

There is no access to the subject premises which is suitable for delivery/waste collection vehicles. Access to the front of the subject premises is from the main street, where vehicles are normally parked in such a way as to only allow single-file through traffic. Access to the rear of the subject premises is via Garden Lane and Garden Mews, which is mainly used by pedestrians, and which has no viable or safe access for delivery vehicles or waste collection vehicles. Access to the rear of the subject premises is via the residential driveway for Garden Mews, an access which cannot be accomplished easily or safely by anything other than a private car due to the tight and limited turn with no turning space at the end of Garden Mews. Garden Lane is single-track, and mainly used by pedestrians. There is no parking or turning space for vehicles. All of these constraints mean that public safety for pedestrians and vehicles using Garden Lane and/or Garden Mews would be impacted by the granting of this application.

Personally I suffer with a sleep disorder, for which I have received treatment but from which I still suffer. The operation of a late night drinking venue, with music, within a few metres of my home, can only worsen my condition. It is now widely understood and documented that sleep disturbance adversely affects both physical and mental health. I would therefore suggest that a neighbouring late night drinking venue, with music, will not only affect my personal health and safety, but also the health and safety of the wider resident population in the vicinity, of whom, statistically, a number will be already suffering from sleep disorders.

PREVENTION OF PUBLIC NUISANCE

The operation of a licensed premises, and in particular a late-night licensed premises with music and dancing, at the subject premises, will inevitably create noise nuisance for myself and other close neighbours, from the music itself, from the inevitable raucous behaviour created by late-night drinking, and from the deliveries and waste collections associated with such an operation.

The rear of the property, close to my dwelling, largely consists of a single-glazed conservatory-type roof. This will not provide adequate sound proofing. The applicant states that this area will be used for bottle storage, which itself creates noise and nuisance particularly from the emptying of bottle bins. The emptying of bottle bins at the nearby HQ Bar can be heard within my home, even though that premises is perhaps 150 metres away, so a similar operation within a few metres of my home will be infinitely worse.

As documented above, the operation of late-night drinking venues in the town already creates noise and disturbance from customers in the early hours of the morning. An additional venue offering late bar services will only exacerbate this.

As documented above, there is no viable access for delivery/waste collection vehicles. This would mean that such vehicles would park in the single-track Garden Lane, blocking access for pedestrians and private vehicles, creating traffic blockages and nuisance. If the intention is to wheel deliveries/waste collections along the driveway immediately to the front of my dwelling, this will create further noise and nuisance for me and for other residents of Garden Mews.

PROTECTION OF CHILDREN FROM HARM

As documented above, the restricted rear access to the subject premises is likely to result in vehicle blockages in the single track Garden Lane. This lane is used by local schoolchildren walking to/from Tavistock College, and walking to/from the bus station for school buses. Navigating a way through parked delivery/collection vehicles poses a safety risk for these children.

Whilst I no longer have children living at home, I am aware that nearby dwellings do have children resident. There is already much shouting and swearing, discard of drinks containers, urination and occasional pavement vomit in Garden Lane from customers of late night drinking venues in the vicinity, and an additional venue will only add to this. This creates a poor environment for children.

CONCLUSION

Whilst the subject premises would appear to be suitable for a retail operation with the previously applied opening hours restriction of 0800-1800, it is unsuitable for a bar, music and dance operation in the context of the Licensing Objectives, the close proximity of dwellings, and the highly restrictive access.

Yours faithfully
Mike Coombes

Sent from [Mail](#) for Windows 10

LICENSING REPRESENTATION FORM

Section 1: Licence Application Details

I wish to object to the following application I wish to support the following application

NAME OF APPLICANT (if known):

MR PAUL MATTHEWS

PREMISES NAME AND ADDRESS:

8c - first floor - WEST STREET

TANSTOCK

POSTCODE: PL19 8AD

Section 2: Your Details

[If you are acting as a representative, please go to Section 3]

TITLE Mr Mrs Miss Ms Other (please state) _____

SURNAME BRENCE FORENAMES ANDREW CLIFFORD

ADDRESS 3 GARDEN MEWS, GARDEN LANE
TANSTOCK

POST CODE PL19 8FG

[You must provide your full residential address (or business address if your objection relates to the impact of the licence upon your business premises)]

SECTION 3: Representative Details

[If you represent residents or businesses, please complete the details below]

NAME OF REPRESENTATIVE/ORGANISATION

ADDRESS OF REPRESENTATIVE/ORGANISATION

POST CODE

I AM (tick as appropriate):

- Representative of residents association Representative of trade/business association
 Ward Councillor Other (please specify)
 MP

Section 4: Reason(s) for Representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the likely effect of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided below under each of the Licensing Objectives (where relevant). You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples, where possible.

Licensing Objective	Reason for Representation
Prevention of Crime & Disorder	POSSIBLE USE OF MY HOUSE FRONTAGE BY USERS OF MR. FOGG FOR URINATING OR SMOKING etc
Prevention of Public Nuisance	NOISE FROM PREMISES WHERE MY HOUSE IS APPROX 30 FEET AWAY.

Protection of Children from Harm	
Public Safety	

I Andrew Brewer hereby declare that all information I have submitted is true and correct

SIGNED: Andrew Brewer DATED: 2/9/17

Please send the completed form to the local authority area in which the premises concerned is situated:

Licensing Department
West Devon Borough Council
Kilworthy Park
Tavistock
Devon
PL19 0BZ

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

Tel: 01822 813 600
Fax: 01822 813 600
Email: licensing@westdevon.gov.uk

Tel: 01803 861 234
Fax: 01803 861 294
Email: licensing@southhams.gov.uk

IMPORTANT NOTE: This form must be returned within the statutory period which is generally either 10 working days or 28 consecutive days from the date the Public Notice was displayed on the premises. Please contact your relevant Licensing Team for confirmation of this date.

Andrew Brewer

ref. Application for a Liquor License for First Floor at 8c West Street,
Tavistock.

Dear Sir,

I wish to oppose the above application on the following grounds :
My home is currently in a peaceful, quiet and relatively undisturbed
position in Tavistock and my concerns are for the very possible loss of
that.

The property is approximately 40 feet from my front door and because we
have no rear windows our ventilation is through Velux roof lights and the
windows at the front are in full audible range of 8c West Street.

The noise from that property both daytime and through the night will be
unbearable.

Deliveries and empty bottle collections will clearly, after a honeymoon
period of a few months, change to whichever is the quickest way of
accessing the property and that possibly means to the rear on the premises
along the front of my house.

The access at the front of where we live is not designed for lorries
because all the manhole covers are pave line(i.e. plastic edged as opposed
to road line, metal edged.)

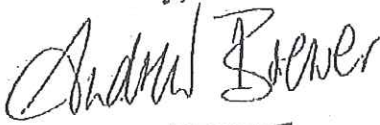
Currently a couple are out of kilter with the paving bricks and this will
become worse if lorries try to access here.

We have been plagued with rats around our houses for some time from
food waste in local bins that have rusted out near food establishments and
I suspect food may be in the plans of the applicant at some future date.

There are a vast number of pubs and bars nearby already and we are
happy with the level of noise currently although occasionally we are
disturbed in the early hours from West Street pubs working late and
tipping bottle skips just as we've got to sleep.

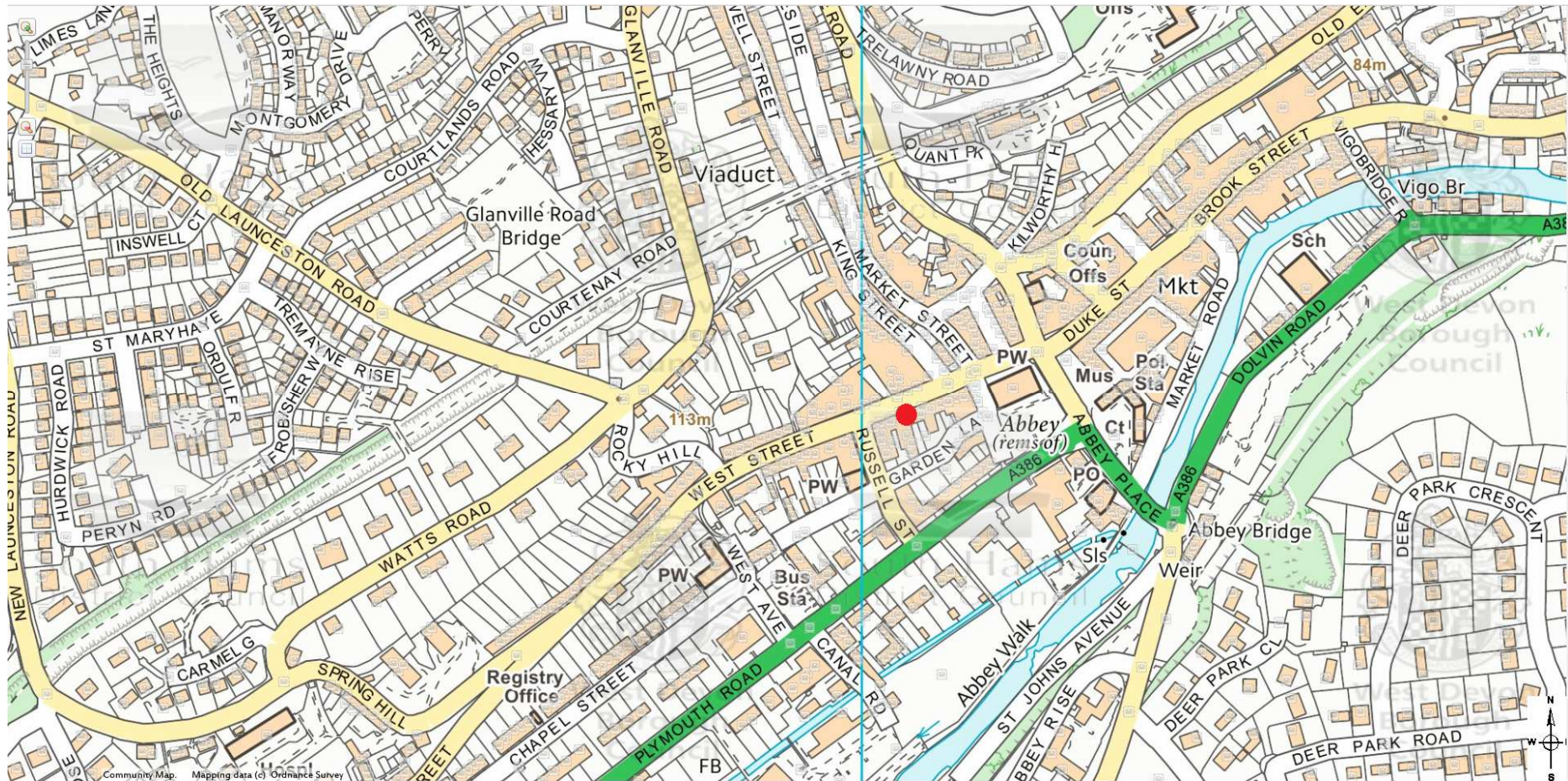
Based on my details above I reiterate my strong objection to the
application.

Yours Sincerely,



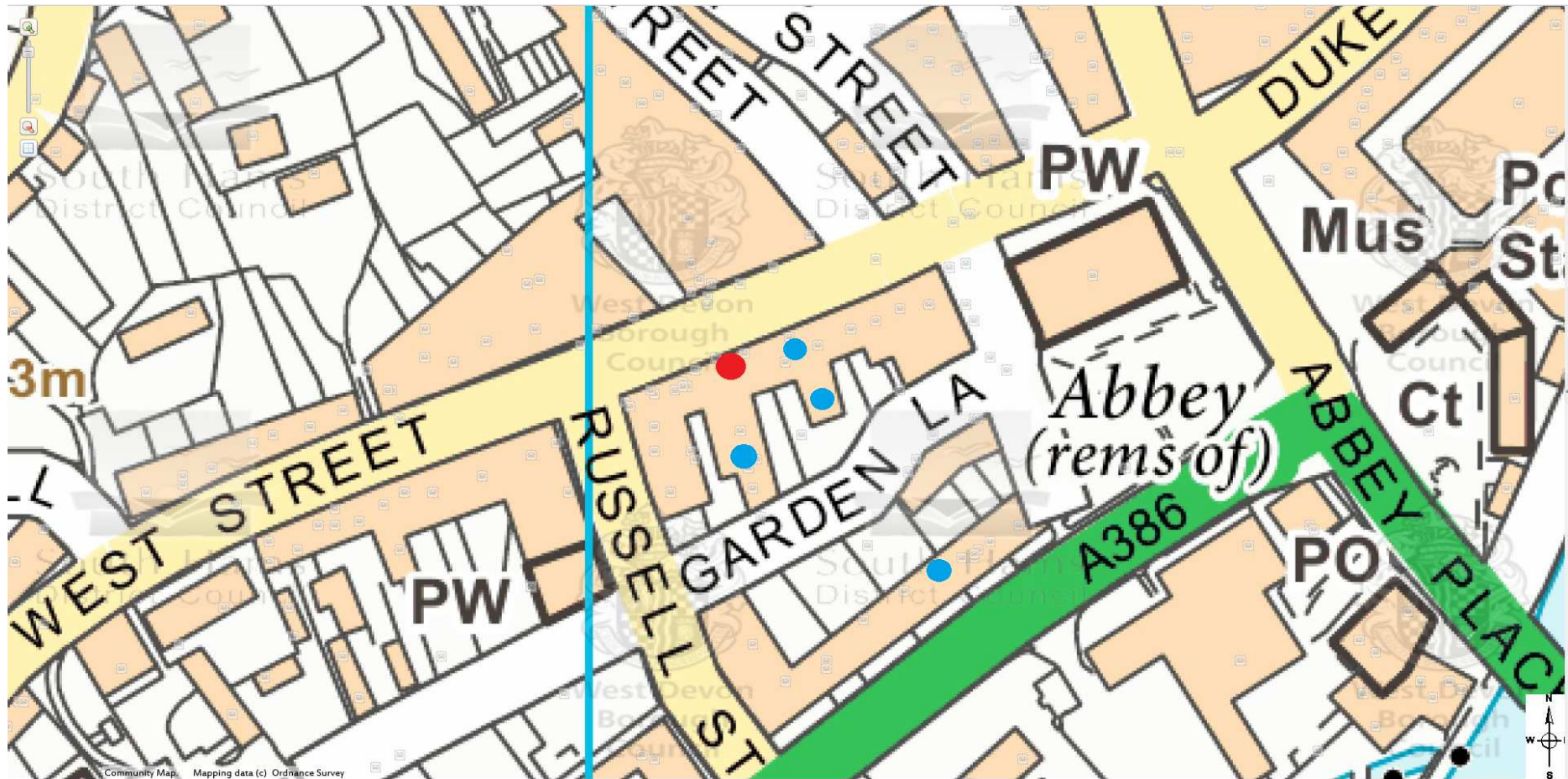
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Location Plan – Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD



● = 8C West Street

Location Plan – Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD



- = 8C West Street
- = Objections received

Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD
Photographs of location and nearby properties

View east along West Street (premises circled in red)



Mr Foggs Winemonger and Mixologist, 8C West Street, Tavistock, PL19 8AD
Photographs of location and nearby properties

Rear view of premises (circled in red) and residential properties



Garden Mews shown to the left and The Town House and London House to the right

