



All members of the Planning and Licensing Committee
are hereby summoned to a meeting of the Planning and Licensing Committee to be held on
Thursday 8 August 2019 commencing at 6pm in Cullompton Town Hall

Judy Morris

SIGNED: Mrs Judy Morris (Town Clerk)

DATE: 1 August 2019

Membership: Councillors Eileen Andrews, Mel Davey, Gordon Guest, Will Jones, Lloyd Knight, Kathryn Haslett, Janet Johns and Martin Smith

AGENDA

1. **APOLOGIES:** To receive apologies for absence.
2. **DECLARATIONS OF INTERESTS:** To receive declarations of disclosable pecuniary interests and personal interests. *Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.*
3. **MINUTES:** To agree the minutes of the Planning and Licensing Committee meeting held on 11 July 2019 (Appendix A).
4. **PUBLIC PARTICIPATION:** 15 minutes is set aside at the beginning of the meeting to enable members of the public to raise matters which are relevant to the work of the Committee. Up to 3 minutes is allowed for each item. It may not be possible to reply straightaway and the question may only be noted and a written response sent at a later date.
5. **PRESENTATION:** To receive presentation relating to planning application no. 19/01260/FULL – Erection of 2/3 storey building of 8 residential flats. 1 dwelling with amenity area and ancillary works following demolition of existing toilet block at Public Conveniences, Station Road.
6. **PLANNING AND LICENSING MATTERS:**
 - a. To consider and make comment on planning applications received for Cullompton 21 and available to view at the [Planning Portal](#) and listed at Appendix B.
 - b. To consider the revised Licensing in relation to The Manor House Hotel, Cullompton (Appendix C).
 - c. To receive planning determinations (Appendix D) and consider any other planning matters brought forward at the discretion of the Chair.
 - d. To consider applications from neighbouring Parishes.
7. **CORRESPONDENCE:** To receive correspondence received after the dispatch of this Agenda.
8. **PRESENTATION:** To receive presentation from Lightwoods Strategic (development

agent/promoter) relating to proposals for Garden Village and also answer any questions from Councillors relating to the North West Urban Extension.

9. **DATE AND TIME OF THE NEXT MEETING:** To confirm the date and time of the next meeting as 22 August 2019 commencing at 6pm.

NOTE: Immediately following the meeting there will be a Garden Village site visit which all Councillors are invited to attend.

APPENDIX A



Planning and Licensing Committee

held on

Thursday 11 July 2019 commencing at 6pm in Cullompton Town Hall

Membership: Councillors Eileen Andrews, Gordon Guest, Will Jones, Lloyd Knight, Kathryn Haslett, Janet Johns, Michael Oxford.

Those present: Councillor Janet Johns, Eileen Andrews, Mel Davey (as a Substitute for Councillor Lloyd Knight).

Councillor Martin Smith*

The Assistant Town Clerk (Clerk)

** for part of the meeting only*

DRAFT MINUTES

25. **Apologies:** To receive apologies for absence. Councillors Gordon Guest (personal), Lloyd Knight (personal), Kathryn Haslett (personal), Will Jones (work commitment).

Councillor Janet Johns was elected as Chairman for the duration of this meeting.

26. **Declarations of Interests:** Eileen Andrews declared an interest in the NHP matters as she is a member of the Neighbourhood Plan Steering Group.

27. **Minutes:** The minutes of the Planning and Licensing Committee meeting held on 27 June 2019 were adopted as a true and correct record of the meeting and signed as such. Proposed Councillor Janet Johns, seconded Councillor Eileen Andrews.

28. **Public Participation:** As there were no members of the public present, this section of the meeting did not take place.

29. **Planning and Licensing Matters:**

- a. To consider and make comment on planning applications received for Cullompton 21 and available to view at the [Planning Portal](#) and listed at Appendix A.
- b. To receive planning determinations and consider any other planning matters brought forward at the discretion of the Chair. None.
- c. To consider applications from neighbouring Parishes. None.

30. **Neighbourhood Plan:**

- a. To consider engaging a contractor to complete the Neighbourhood Plan document at a cost of £700.00.

RESOLVED: To release a maximum of £700 from the Neighbourhood Plan budget in order to employ a casual employee to complete work on the Neighbourhood Plan document. Proposed Councillor Janet Johns, seconded Councillor Eileen Andrews.

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- b. To approve payment to Libraries Unlimited for room rental at The Hayridge Centre for meetings of the Neighbourhood Plan Steering Group.

RESOLVED: To approve payment to Libraries Unlimited of £41.13 in respect of room rental at The Hayridge Centre for meetings of the Neighbourhood Plan Steering Group. Proposed Councillor Janet Johns, seconded Councillor Eileen Andrews.

31. **Correspondence:**

- a. Pegasus Group's letter dated 26 June 2019 inviting members to a consultation event on 16 July 2019 from 2pm to 7pm at Plymtree Parish Hall concerning a proposed solar farm on land near Langford.

** Councillor Martin Smith joined the meeting.*

- b. To receive correspondence received after the dispatch of this Agenda.
 - i. A letter has been received from Devon County Council granting permission for additional buildings, plant and machinery at the Water Treatment Works at Exeter Road.
 - ii. SWW issued a letter informing of their intention of installing a water flow monitoring device at the Pumping Station at Honiton Road.
 - iii. Councillor Janet Johns raised a concern that there had been some instances of historic tiles at the entrances to shops in Fore Street being removed and tarmacked during the recent resurfacing works in Fore Street.

- 32. **Date and time of the next meeting:** To confirm the date and time of the next meeting as 25 July 2019 commencing at 6pm.

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APPENDIX B

PLANNING LIST FOR THE MEETING OF THE PLANNING AND LICENSING COMMITTEE ON 11 JULY 2019

Application Number	Expected Decision Level	Applicant	Agent	Proposal	Cullompton Town Council Comment and Recommendation
19/00939/HOUSE	DEL	Mr and Mrs P Batten, 19 St George's View, Cullompton	Mr Stephen Bryant, SAB Drawing and Tiverton	Erection of two storey extension (Revised Scheme) to include single storey extension to replace garage at 19 St George's View, Cullompton.	Recommend grant permission. Proposed Councillor Janet Johns, seconded Councillor Eileen Andrews.
19/01011/FULL	DEL	Mr Richard Pickford, Belmore Estates Ltd, Suite 3A, Alma House, Alma Road, Reigate	Miss Hannah Cameron, XL Planning and Design	Change of use of former ambulance station, College Road, Cullompton.	Recommend grant permission. Proposed Councillor Eileen Andrews, seconded Councillor Mel Davey.
19/01023/HOUSE	DEL	Mr Hawkins, 3 Trott Close, Cullompton	Paul Jary, PRJ Architecture, Uffculme	Erection of a single storey rear extension at 3 Trott Close, Cullompton.	Recommend grant permission. Proposed Councillor Janet Johns, seconded Councillor Mel Davey.
19/01083/FULL	DEL	M L and E M Persey, Park Farm, Bradninch	James Whilding, Acorus, Clyst st George	Erection of an extension to an agricultural livestock building (902m ²) at Land at NGR 301375 105808, Padbrook Hill, Cullompton.	Recommend grant permission. Proposed Councillor Eileen Andrews, seconded Councillor Janet Johns.
19/01095/OUT	DEL	The Trust Fund of The Late E J Hill, 1 Culm View, Honiton	Matthew Farmer, MF Architectural Services,	Outline for the erection of a dwelling with associated access at Land at NGR 302966 107449 (South of Grant's Cottages), Cullompton.	Recommend grant permission. Proposed Councillor Mel Davey, seconded Councillor Janet

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APPENDIX B

PLANNING LIST FOR THE MEETING OF THE PLANNING AND LICENSING COMMITTEE ON 8 AUGUST 2019

Application Number	Expected Decision Level	Applicant	Agent	Proposal	Cullompton Town Council Comment and Recommendation
19/01197/FULL	DELEGATED	Mr G Smith, Diespeker	Grainge Architects	Variation of condition 2 of planning permission 18/01027/FULL to allow substitution of previously approved plans	
19/01217/HOUSE	DELEGATED	Ms Amy Watts	5 Points Architecture	Raising of roof height to provide additional living accommodation at first floor level to include balcony	
19/01192/OUT	DELEGATED	Mr Land	Randell Burton Ltd	Outline for the erection of a dwelling at Derren, Exeter Road	
19/00843/FULL	DELEGATED	Mrs Challis	Alex Stewart	Erection of dwelling with alterations to existing access at 13 Willand Road	
19/01260/FULL	DELEGATED	Mr Lee	Steve Eastland Design	Erection of 2/3 storey building of 8 residential flats, 1 dwelling with amenity areas and ancillary works following the demolition of existing toilet block, brick boundary wall, ancillary buildings and sheds at Public Conveniences Station Rod	
19/00604	PLANNING COMMITTEE	Y Qayum	Florian Winkler	Revised plans for the conversion of former British Legion Club Use Class D2 to 9 dwellings (5 houses and 4 flats) Use Class C3 at 6 The New Cut	

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Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I Shayne Baker

(Insert name(s) of applicant)

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

Premises licence number PRO 178

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description The Manor House 2/4 Fore Street Cullompton EX15 1JL			
Post town	Cullompton	Postcode	EX15 1JL

Telephone number at premises (if any)	01884 33620
Non-domestic rateable value of premises	£360,000.00

Part 2 – Applicant details

Daytime contact telephone number	01884 33620 / 07780112733		
E-mail address (optional)	brookekian@hotmail.com		
Current postal address if different from premises address	35 Knightswood.		
Post town	Cullompton	Postcode	EX15 1EX

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Part 3 - Variation

Please tick as appropriate

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

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

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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

The application is to amend the operating hours of the premises for licensable activities and the supply of alcohol. To remove all of the annex 2 conditions including conditions added following a hearing and replace with updated conditions to ensure the licensing objectives are upheld. Update the Premises plan clarifying the use of the rear outside space.

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

N/A

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Part 4 Operating Schedule

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

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

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

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

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

In all cases complete boxes K, L and M

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A

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

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B

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

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Indoor sporting events Standard days and timings (please read guidance note 8)			<u>Please give further details</u> (please read guidance note 5)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Tue			
Wed			
Thur			<u>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</u> (please read guidance note 7)
Fri			
Sat			
Sun			

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D

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

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E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	10:00	00:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	10:00	00:00			
Wed	10:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	10:00	00:00			
Fri	10:00	01.30	<u>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</u> (please read guidance note 7) New Year's Eve - deregulated		
Sat	10:00	01.30			
Sun	10.00	00.00			

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Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	08:00	01:00	<u>Please give further details here</u> (please read guidance note 5)		
Tue	08:00	01:00			
Wed	08:00	01:00	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	08:00	01:00			
Fri	08.00	03:00	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	08.00	03:00	New Year's Eve - deregulated		
Sun	08:00	00:00			

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G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur					
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 7)		
Sat					
Sun					

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H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Mon	10:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	00:00	<u>Please give further details here</u> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00	<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)		
Fri	10:00	01.30			
Sat	10:00	01.30	<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sun	10.00	00.00	New Year's Eve Deregulated		

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I

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	23:00	01:30	<u>Please give further details here</u> (please read guidance note 5)		
Tue	23:00	01:30			
Wed	23:00	01:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)		
Thur	23:00	01:30			
Fri	23:00	03:30	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) New year's eve - deregulated		
Sat	23:00	03:30			
Sun	23:00	00:30			

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Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	08:00	01:00	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Tue	08:00	01:00			
Wed	08:00	01:00			
Thur	08:00	01:00	<u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7) New year's eve - deregulated Consumption of alcohol in the rear outside area is only permitted until 22:00 Monday to Sunday as indicated on the attached plan.		
Fri	08:00	03:00			
Sat	08:00	03:00			
Sun	08:00	00:00			

K

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10).</p> <p>None</p>

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Hours premises are open to the public Standard days and timings (please read guidance note 8)			<u>State any seasonal variations</u> (please read guidance note 6)
Day	Start	Finish	<p><u>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</u> (please read guidance note 7)</p> <p>New year's eve - deregulated</p>
Mon	08:00	01:30	
Tue	08:00	01:30	
Wed	08:00	01:30	
Thur	08:00	01:30	
Fri	08:00	03:30	
Sat	08:00	03:30	
Sun	08:00	00:30	

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

Remove all of the annex 2 and annex 3 conditions as follows and replace with conditions stated in Section M

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE
Prevention of Crime and Disorder

CCTV:

CCTV will be installed, maintained and operated as per DVD and Operational Requirement Analysis document recommendations of the Chief Officer of Police and Local Authority.

The digital recording system must have the facility to be password protected.

The CCTV system should be capable of recording and retaining 10 days of images to a standard that can be produced as evidence for possible prosecution purposes.

The digital recording system must have a download facility to provide evidence of incidents.

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At entrance and exit doorways Identification cameras will be installed with appropriate lighting.

Bar area/dance floor/corridors Recognition cameras will be installed with appropriate lighting.

The appropriate CCTV signage will be displayed on and off premises.

All persons required to operate the system must be given suitable training to enable to do so effectively.

The CCTV system must be registered with the Data Protection Information Commissioner.

- a) If the CCTV is inoperative, the chief of police and local licensing authority will be informed as soon as reasonably possible and immediate steps will be taken to put the equipment back into operation.
- b) All reasonable steps shall be taken to prevent opened bottles/containers (containing alcohol) from being taken off the premises.
- c) All reasonable steps shall be taken to prevent open bottles/containers (containing alcohol) from being brought onto the premises.
- d) There shall be no irresponsible drinks promotions.
- e) Except for off sales, alcohol shall only be served from toughened glass, or paper/plastic cups.
- f) That a minimum of two security industry authority registered door supervisors be employed on the premises on Friday and Saturday from 22:00 until all members of the public have left the premises.
- g) The registered door supervisors will be in radio contact with each other at all times.
- h) An incident book will be kept and all incidents (re: crime & disorder) will be recorded.
- i) A duty door supervisor rota/log book will be kept and maintained.
- j) The premises will be a member of pub watch and a representative will attend pub watch meetings and the premises will adopt and promote the alcohol crime and drug reduction schemes as recommended by the police and pub watch.

Public Safety

- a) Regular glass and bottle collections will be undertaken throughout the hours of operation.
- b) During the hours of operation at least one suitably trained first-aider shall be on duty when the public are present on the premises.

Prevention of Public Nuisance

- a) Performance of film is limited to playing of clips of recorded film and TV broadcasts through video quiz machines
- b) All amplified music played at the premises be played through a noise-limiting device installed at the premises and set at a level agreed with an officer of the district council's noise team.
- c) The noise limiting device shall be properly secured so that it cannot be tampered with.
- d) The noise limiting device shall only be reset to a level approved by an

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authorised officer of the district council - such approval to be given within 14 days of notification by the premises licence holder or his nominated agent of resetting being needed.

- e) To prevent regulated entertainment being intrusive, noise from regulated entertainment emanating from the premises shall not be clearly audible 1 metre from the façade of the nearest residential property.
- f) Whenever live and/ or recorded music (save for incidental recorded music) is played from those parts of the premises licensed for those activities all windows and doors in those parts of the premises shall be kept closed (except in case of an emergency and for access/egress).
- g) The licence holder shall maintain a log of complaints for the premises received by him from local residents together with a log of action (if any) undertaken by the licence holder. This log shall be, upon request, made available for inspection by the chief of police and/or local licensing authority.
- h) Clear and legible notices shall be strategically and prominently placed within the premises requesting customers to respect the needs of local residents and to leave the premises quietly.
- i) The placing of all non food waste/refuse shall be disposed at such times of the day when minimal disturbance would be caused to local residents.
- j) Save for access to and egress from the premises the use of gardens, patios and external play areas will not commence before the 09.00 hours and will cease at dusk or at 21.00 hours, whichever is earlier.
- k) No music or speech will be relayed by external speakers without the consent of the licensing authority.
- l) The use of lighting in the gardens, patios and external areas will cease at dusk or 21.00 hours, whichever is earlier, except for health and safety or security reasons.

Protection of Children from Harm

- a) Evidence of age shall be requested from any person appearing to those selling alcohol to be under the age of 18 and who is attempting to purchase alcohol.

ANNEX 3 - CONDITIONS ATTACHED AFTER HEARINGS

Conditions above agreed by appeal to Magistrates Court on 17th march 2008.

As agreed at a meeting of the Licensing Sub Committee D held on Thursday 4 December 2008, it is an additional condition of this licence that Mr Roshan Sivlal take no part in any business at the Manor House Hotel.

Licensing Sub Committee A met on 4 December 2009 to determine an application to vary the licence and granted the hours now shown. The New Year's Eve deregulation was also granted and the installation and use of a noise limiter was required.

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Please tick as appropriate

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

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

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

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

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

We will consider advice from the responsible authorities

b) The prevention of crime and disorder

We will consider advice from the responsible authorities.

1. All staff engaged in licensable activity at the premises will receive training and information in relation to the following

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

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

Training records will be retained for at least 12 months.

2. An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:-

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All ejections of patrons
- iv. Any complaints received
- v. Seizures of drugs or offensive weapons
- vi. Any faults in the CCTV system
- vii. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details

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of the person responsible for the management of the premises at the time of the incident.

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

3. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises on Friday and Saturday nights from 23.00 until the last customer has left the premises.

4. The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:

I. Full name

II. SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation)

III. The date and time they began their duty

IV. The date and time they completed their duty

V. The full details of any agency through which they have been allocated to work at the premises if appropriate.

The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority. The register shall be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request

5. Where a drug safe is available on the premises to deposit finds there will be in place a clear policy for the handling and packaging of seized items.

Note: For premises with a suitable 'Drug Safe' the items secured within that safe are not considered as being in their possession

6. A clear and legible notice must be prominently displayed at all entrances to the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.

7. Appropriate security arrangements will be in place including toilet areas and other similar areas being regularly checked for evidence of drugs. The date and times of all checks will be recorded in a register kept for that purpose and be available for inspection and copying on request of an authorised officer of a responsible authority.

8. The premises shall install, operate and maintain a digital colour CCTV system to the satisfaction of the Police and Local Authority. As a minimum, the system must:

i. Cover all public areas of the licensed premises, including entry and exit points. This also includes any outside areas under the control of the premises licence holder.

ii. Record clear images permitting the identification of individuals and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

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- iii. Continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.
- iv. Have a constant and accurate time and date generation.
- v. Store recordings for a minimum period of 31 days with date and time stamping.
- vi. Viewable copies of recordings will be provided on request to the police and local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 1998 (or any replacement legislation)
- vii. The CCTV system will be capable of downloading images to a recognisable viewable format.
- viii. The CCTV system will capture a minimum of 4 frames per second.
- ix. The CCTV system will be fitted with security functions to ensure the integrity of the system and to prevent the tampering with and deletion of images (i.e. password protection).

c) Public safety

We will consider advice from the responsible authorities.

d) The prevention of public nuisance

We will consider advice from the responsible authorities.

9. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
10. Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
11. Speakers will not be located in the entrance lobby or outside the premises.
12. A noise limiting device (the specification and design to be agreed with Mid Devon District Council's Environmental Protection Team) shall be fitted so that all live and recorded music is channelled through the device. The maximum noise levels will be set by agreement with Mid Devon District Council's Public Health Team and will be reviewed from time to time as appropriate.
13. No performances of live and recorded music will proceed without the noise limiting device in proper working order.
14. All external doors and windows shall be kept shut at all times when the premises are open /during regulated entertainment. Doors may be opened for normal entrance and egress of people but must be shut immediately after.
15. The rear patio areas **(as indicated on the plan dated 16/7/2019)** shall only be

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open to customers for the consumption of alcohol on Monday to Sunday from 08:00 until 22:00 Clear and legible notices shall be prominently displayed in appropriate locations to ensure that this information is brought to the attention of patrons.

16. Smoking area to be placed at the rear of the property as shown on the plan dated **16/07/2019** and smoking on the street will be discouraged.

17. Clear and Legible notices shall be prominently displayed at the 3 exits of the premises as marked on the plan requesting that patrons use the smoking area to the rear of the premises.

e) The protection of children from harm

We will consider advice from the responsible authorities.

18. There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

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

19. An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

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

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

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Checklist:

Please tick to indicate agreement

- I have made payment or ✓
- I have not made payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ✓
- I understand that I must now advertise my application. ✓
- I have enclosed the premises licence or relevant part of it or explanation. ✓
- I understand that if I do not comply with the above requirements my application will be rejected. ✓

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

Part 5 – Signatures (please read guidance note 12)

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

Signature	
Date	
Capacity	

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

Signature	
Date	
Capacity	

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

<p>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</p>			
Post town		Post code	
Telephone number (if any)			

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If you would prefer us to correspond with you by e-mail, your e-mail address (optional)

Notes for Guidance

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

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

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

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13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.

PLANNING DETERMINATIONS LIST FOR THE MEETING OF THE PLANNING AND LICENSING COMMITTEE ON 8 AUGUST 2019

Application Number	Decision	DETAILS
19/00815/PIP	REFUSE PERMISSION	Permission in principle for the erection of 5 dwellings at Land & Buildings at NGR 302056 104022 (Westcott Park) Westcott
19/00662/PNCOU	CHANGE OF USE ACCEPTANCE	Prior notification for the change of use of an agricultural building to a dwelling under Class Q at Land at NGR 300148 102339 (Poundapitt Farm) Bradninch
19/00694/FULL	APPROVAL	Erection of a single storey rear extension and installation of solar panels at Devon & Somerset Fire & Rescue Service Fire Station, Tiverton Road
19/00930/CAT	APPROVAL	Fell I no. Leylandii tree within Conservation Area at 1 Queen Square
19/00518/FULL	APPROVAL	Change of use of former residential nursing home (Use Class C2) to mixed use of bed and breakfast (Use Class C1) and supported YMCA housing accommodation at St Andrews Nursing Home 1-2 Pye Corner
19/00706/OUT	REFUSE PERMISSION	Outline for the erection of 2 dwellings with associated access at Land at NGR 302966 107449 (South of Grants Cottages) Stoneyford
19/00966/LBC	WITHDRAWN	Listed Building Consent for the installation of sewage treatment works at 6 Newcourt Cottages, Langford
19/00734/PNCOU	APPROVAL	Prior notification for the change of use of an agricultural building to a dwelling under Class Q at Land & Buildings NGR 303507 109067 (Hayne Barton)
19/00787/LBC	APPROVAL	Listed Building Consent for internal alterations to relocate bathroom with associated works at 6 Newcourt Cottages, Langford
19/01059/CLP	CERTIFICATE OF LAWFUL USE	Permitted development Three Gables, Shortlands Lane

