

Agenda for Licensing & Enforcement Sub Committee

Wednesday, 6 August 2014; 9.30am

[Members of the Committee](#)

Venue: Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

Contact: [Chris Lane](#), 01395 571544 (or group number 01395 517546): Issued 4 June 2014



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- 1 Apologies
- 2 [Declarations of interest](#)
- 3 [Matters of urgency](#) – none identified
- 4 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

Part A Matters for Decision

- 5 **To consider an application for the variation of a premises licence – To extend the times for all licensable activities and opening times on the current licence on Wednesdays, Fridays and Saturdays by one hour and to construct a cocktail bar on the ground floor at Q Club, Elm Grove, Exmouth, EX8 1DJ.**
(pages 2-51)

Due to the requirements of the Licensing Act 2003 only parties to the hearing are permitted to address the sub-committee (through their representative as appropriate)

[Recording the meeting](#)

[Decision making and equalities](#)

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Report to: **Licensing and Enforcement Sub Committee**



Date of Meeting: 6 August 2014

Public Document: Yes

Exemption: None

Agenda item: **Item 6**

Subject: Application for the variation of a premises licence under the Licensing Act 2003

Purpose of report: The report summarises an application for a premises licence to be varied.

Recommendation: Recommendation
That members consider an application for the variation of a premises licence - To extend the times for all licensable activities and opening times on the current licence on Wednesdays, Fridays and Saturdays by one hour and to construct a cocktail bar on the ground floor at the Q Club, Elm Grove, Exmouth, Devon, EX8 1DJ.

Reason for recommendation: To comply with statutory processes.

Officer: Neil McDonald nmcdonald@eastdevon.gov.uk 01395 517410

Financial implications: The only financial implication is if the applicant appeals against the decision made, with the possibility of court costs.

Legal implications: Legal implications are included within the report.

Equalities impact: Low Impact

Risk: Low Risk

Links to background information: **Appendices**
Appendix A – Table of existing and proposed times and licensable activities.
Appendix B – Copy of licensing application.
Appendix C – Copy of existing licence – PLWA0539
Appendix D – Details of representations received.
Appendix E – Details of responses to the Notice of Hearing.
Appendix F – Proposed extra conditions - Operating Schedule.
Appendix G – Details of amendments following mediation.
Appendix H – Location Plan.

Link to Council Plan: Not applicable

Report in full

1 Description of Application

- 1.1 An application has been received from Paul and Kimberly Kortland of Byways House, Green Lane, Exton, Exeter, Devon, EX3 0PW for the variation of a premises licence for the Q Club, Elm Grove, Exmouth, Devon, EX8 1DJ.
- 1.2 The current and the proposed timings and licensable activities applied for are produced in table form at **Appendix A**.
- 1.3 A full copy of the application is reproduced at **Appendix B**.
- 1.4 The Q Club is situated in a side street on the corner of Elm Grove and Manchester Street off of the main Strand area in the centre of Exmouth Town in a mixed commercial and residential area. The premises are a detached two storey building currently licensed and operating as a night club on the ground floor with the first floor divided into a dance lounge and a Sex Entertainment Venue known as 'Lush'.
- 1.5 The owners have found that their customers are arriving later in the evening and as a result the trading figures have dropped as customers are spending less time at the premises. As a result the owners want to extend the hours for licensable activities and opening times of their current licence on Wednesdays, Fridays and Saturdays by one hour in the evenings. The owners also want to incorporate a bottle bar on the ground floor of the premises details of which are shown on the submitted plan. A full copy of the existing premises licence is reproduced at **Appendix C**.
- 1.6 A plan of the premises will be available at the meeting to show the proposed layout of the site and the areas of licensable activity.

2 Statutory Bodies' Response

- 2.1 Devon & Cornwall Constabulary
Representations have been received – now agreed position.
- 2.2 Devon & Somerset Fire & Rescue Service
No representations have been received.
- 2.3 Area Child Protection Committee and Local Safeguarding Children Board
No representations have been received
- 2.4 Devon Trading Standards
No representations have been received
- 2.5 East Devon District Council, Environmental Health Service
Representations have been received – now agreed position.
- 2.6 East Devon District Council, Planning & Countryside Service
No representations have been received
- 2.7 Primary Care Trust
No representations have been received

3 Representations and Responses to Notices of Hearing

- 3.1 Representations have been received from the Devon and Cornwall Constabulary, the Council's Environmental Health Service and Exmouth Town Council. Details of the representations are attached at **Appendix D**.
- 3.2 Responses to notice of hearing forms have been received from the Devon and Cornwall Constabulary and the Council's Environmental Health Service who have both reached an 'agreed position' with the applicants and will not be attending the committee hearing. Exmouth Town Council however has advised that they want the hearing to go ahead and will be represented at the hearing by Cllr Eileen Wragg. The applicants will be attending the hearing and will be represented by their solicitor Mr Graham Gover.
- 3.3 Details of the responses to the statutory Notice of Hearing are attached at **Appendix E**.

4 Proposed Operating Schedule and Mediation

- 4.1 The extra conditions offered by the applicant as a result of the proposed variation has been reproduced at **Appendix F** and numbered for ease of reference.
- 4.2 Mediation has taken place between the applicant and the police who reached an 'agreed position' as a result of the applicant offering to reduce the hours and days requested in their variation application. Details of the agreed amendment were circulated to the other two objectors and as a result the Council's Environmental Health Service also reached an 'agreed position'. Exmouth Town Council does not accept the proposed amendments and continue with their representation although they do not object to the proposed bottle bar on the ground floor of the premises. Details of the amendments agreed at mediation are attached at **Appendix G**.

5 Relevant Licensing Policy Considerations

Licensing Objectives

- 5.1 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 are:-

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

- 5.2 Section 3.2 of the policy states: These objectives are the only matters to be taken into account in determining the application and any conditions attached must be necessary to achieve the licensing objectives.
- 5.3 Section 3.3 of the Policy states: A licence will only be granted where the licensing authority is satisfied that these objectives have been met.
- 5.4 Section 3.4.1 of the Policy lists the kind of measures the licensing authority will be expecting to see taken into account to promote the objectives.

Conditions

- 5.5 Section 4 of the policy sets out what the Sub Committee should consider before imposing conditions on a licence.

Licensing Hours

- 5.6 Section 6.1 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 any other person on the basis of the licensing objectives. However, when issuing a licence with hours beyond midnight higher standards of control will generally need to be included in operating schedules to promote the licensing objectives especially for premises which are situated near residential areas.
- 5.7 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.

Anti Social Behaviour

- 5.8 Section 15.1 of the policy states: A minority of consumers will behave badly and unlawfully once away from premises, and licence holders' co-operation is sought in minimising this behaviour in the vicinity of premises. The Licensing Authority recognises that the Act is not a cure-all for anti-social behaviour. There is a range of other strategies for addressing these problems – Details of other strategies are listed in the policy.

Nuisance

- 5.9 Section 19.1 of the Policy states: To promote the licensing objectives, applicants for licences for licensable activities will be required to demonstrate the measures they have in place for the prevention of public nuisance. The impact of the licensable activities on people living in the vicinity should not be disproportionate or unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter. The prevention of public nuisance can include low-level nuisance affecting a few people living locally as well as a major disturbance affecting the whole community. It may also include the prevention of the reduction of the living and working amenity and environment of interested parties.

Capacity

- 5.10 Section 20.1 of the Policy states: Where it is considered necessary to control the maximum numbers of persons attending premises for the purpose of preventing crime and disorder or for public safety the licensing authority will expect this to be addressed in the operating schedule. The licensing authority, if relevant representations are made and only then if such conditions are deemed necessary, proportionate and reasonable, may impose a condition stipulating a maximum number of persons permitted to attend premises where it considers it necessary to prevent crime and disorder or for public safety purposes.
- 5.11 The **Guidance** issued under Section 182 Licensing Act 2003 states:
The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions. It may then only impose conditions that are appropriate to promote one or more of the four licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute.

It is perfectly possible that in certain cases, because the test is one of appropriate, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed to promote the licensing objectives.

The Act requires that licensing conditions should be tailored to the size, style, characteristics and activities taking place at the premises concerned.

Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives, which means that they must not go further than what is needed for that purpose.

Licensing authorities should only impose conditions which are appropriate and proportionate for the promotion for the licensing objectives. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be appropriate to impose the same or similar duties.

6. Observations

- 6.1 Following the implementation of the first set of regulations under the Police Reform and Social Responsibility Act on 25 April 2012 a new provision relating to the 'test' that Licensing Committees should consider when deciding on licensing applications was introduced. The evidential level for Licensing Committees has been lowered so that the test now is that their decisions need only be 'appropriate' and no longer 'necessary'.
- 6.2 The application being considered is for the variation of a Premises Licence to:
- Allow an extra one hour to be added to the end of the existing licensable activities and opening times on Wednesdays, Fridays and Saturdays.
 - Allow the construction of a bottle bar on the ground floor of the premises.
- 6.3 Representations were received from the Police, the Council's Environmental Health Service and Exmouth Town Council. The Police and the Environmental Health Service have reached an 'agreed position' with the applicants after they offered to reduce the hours applied for on Wednesdays to 3:00am with a 3:30am closure, withdrawing any extension of hours on Fridays and reducing the hours on Saturdays to 3:30am with 4:00am closure. Details of the amendments can be seen at **Appendix G**.
- 6.4 Exmouth Town Council did not agree with the mediated hours and continue with their representation. The Council have a uniform policy of objecting to any application that seeks to operate past 3:30am within Exmouth and they feel that agreeing to this application would set a precedent for other establishments to apply for later hours. They are concerned that if the later and longer hours are granted it would cause an increased nuisance to residents and the potential for drinkers to carry out criminal acts when dispersing within the town.
- 6.5 Committee members will be aware that a blanket policy for closing time for an area should not be considered and that section 6.1 of our Licensing Policy states that the Licensing Authority must deal with the issue of licensing hours on the individual merits of each application. (See paragraph 5.6 of this report).
- 6.6 The extra conditions offered by the applicant as a result of this variation application appear at **Appendix F**.
- 6.7 The applicant has indicated on his response to notice of hearing form (see **Appendix E**) that he intends to produce recordings of CCTV footage from the club showing working strategies such as management of queues, dispersal of customers and street marshall operation. At the time of writing this report the recordings had not been received by the Licensing Authority but if received prior to the hearing they will be disclosed to Exmouth Town Council. The recordings will also be made available to the committee on the day of the hearing.
- 6.8 The Sub Committee will now need to consider whether to grant this application as it stands or in the light of the representations to refuse the application or grant it in a different form.

6.9 A location plan is attached at **Appendix H**.

Legal Advice

1. As relevant representations have been made in respect of the application, 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 any person, bodies representing them or responsible authorities). The sub-committee must disregard any information or evidence not relevant to the licensing objectives.
2. The 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.
3. Section 18 of the Act requires the licensing authority to grant a premises licence unless it considers additional steps are needed for the promotion of the licensing objectives having regard to any relevant representations.

The steps are:

- (a) to grant the licence subject to:
 - (i) the conditions in the operating schedule modified to such extent as members consider necessary for the promotion of the licensing objectives, and
 - (ii) any condition which must under sections 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 refuse to specify a person in the licence as the premises supervisor
- (d) to reject the application.

The conditions of the licence are modified if any are altered or omitted or any new condition is added. Different conditions may be applied to different parts of the premises, and to different licensable activities. The sub-committee must give its reasons for its decision to take any of these steps. Similarly, if any part of an application is rejected, the sub-committee must give its reasons.

4. The Act requires mandatory conditions to be imposed where supplying alcohol or exhibiting films are approved as licensed activities. It also requires a mandatory condition to be imposed where door supervisors or other individuals carrying out security activities are conditions on the licence.

(a) Section 19 - Mandatory conditions relating to the supply of alcohol

1. (a) There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
- (b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Source: Section 19 Licensing Act 2003

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

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

Source: Section 19 & 19A Licensing Act 2003

3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

Source: Section 19 & 19A Licensing Act 2003

4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

Source: Section 19 & 19A Licensing Act 2003

5. (1) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Source: Section 19 & 19A Licensing Act 2003

6. The responsible person shall ensure that-

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied

having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

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

(b) customers are made aware of the availability of these measures.

Source: Section 19 & 19A Licensing Act 2003

7. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (2) For the purposes of the condition set out in paragraph 7(1) —
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —
$$P = D + (D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

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

Source: Section 19A Licensing Act 2003

(b) Section 20 - Mandatory condition relating to exhibition of films – not required

Children may only be admitted to films in accordance with the classification recommendations of the British Board of Film Classification, or as recommended by the licensing authority.

(c) Section 21 - Door Supervision – not required

Where door supervisors are specified by condition, those individuals must be licensed by the SIA.

5. The sub-committee will need to consider the hours of operation proposed in relation to the licensable activities in the light of the promotion of the licensing objectives, the effectiveness of the operating schedule proposed by the applicant, the representations received, the location of the premises in relation to residential and other commercial properties including other licensed premises, the history of the management of the premises and how it is proposed to be run in the future, the evidence produced of any problems in the past, and the likely impact of any extension of hours and activities. These issues, and any other relevant ones, may be explored at the hearing.

6. Human Rights Act 1998

- 6.1 The sub-committee must also have regard to the provisions of the Human Rights Act 1998 when determining this application. The 1998 Act made the European Convention of Human Rights directly enforceable in British courts. The relevant provisions are Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 11 (freedom of association) and Article 1 of the First Protocol (right to peaceful enjoyment of one's possessions). These provisions are explained below. Essentially, they require the sub-committee to identify correctly the competing interests, give each appropriate weight in the circumstances of the case, and balance them against each other in order to arrive at a fair and reasonable decision.
- 6.2 Under Article 6, "everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law". The procedures established by this Council for hearings under the Licensing Act 2003 are compliant with Article 6.
- 6.3 Under Article 8, "everyone has the right to respect for his private and family life, his home and his correspondence". This right may not be interfered with except in accordance with the law and as may be "necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others". In Licensing Act cases this means that the sub-committee must have regard to the effect of its decisions on local residents, and balance their interests against those of the public at large (e.g. the customers of the premises under consideration) and the people operating the business from the premises.
- 6.4 Under Article 11, "everyone has the right to freedom of peaceful assembly and to freedom of association with others" except where it is lawful to restrict that freedom in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others". In Licensing Act cases this means, for example, that the sub-committee is entitled to impose conditions to ensure that patrons of licensed premises do not unreasonably disturb others living or working nearby. Again, the sub-committee should balance the competing interests.

6.5 Article 1 of the First Protocol (that is, the first amendment to the Convention) says that every natural or legal person (meaning a human being or a company) is entitled to peaceful enjoyment of his possessions, except where the law provides for restrictions on that right in the public interest. This means, for example, that it is compliant with the Convention to impose restrictions, such as those provided in the Licensing Act 2003, upon business premises where it is in the public interest to do so. On the other hand the same applies to the owners and occupiers of neighbouring premises.

7. Appeals

If the sub-committee imposes conditions on the licence with which the applicant disagrees, or modifies the licensable activities permitted or refuses to specify a person as a designated premises supervisor, he or she may appeal within 21 days of notification of the decision to the Magistrates' Court. The applicant may also appeal if an application for a premises licence is rejected. Those making relevant representations may appeal if they believe that the licence should not have been granted, or that, when granting the licence, the licensing authority ought to have imposed different or additional conditions or excluded a licensable activity or refused to specify a person as a designated premises supervisor. 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.

8. Review Provisions

If extended hours/licensable activities are granted, the Licensing Act contains review provisions which enable any person, bodies representing them or any of the responsible authorities to apply to this licensing authority for a review of the licence. A hearing follows which enables the sub-committee to use the normal powers at a hearing (set out above) but also to suspend the licence for a period of up to three months or to revoke it.

9. Police Closure

A senior police officer may close any premises for 24 hours (this can be extended) where s/he reasonably believes there is or is likely imminently to be disorder on, or in or in the vicinity of the premises and their closure is necessary in the interests of public safety. Closure can also be affected if public nuisance is being caused by noise coming from the premises and closure of the premises is necessary to prevent that nuisance

10. Surveillance Camera Code of Guidance-June 2013

Where a relevant authority has licensing functions and considers the use of surveillance camera systems as part of the conditions attached to a licence or certificate, it must in particular have regard to guiding principle one in this code. Any proposed imposition of a blanket requirement to attach surveillance camera conditions as part of the conditions attached to a licence or certificate is likely to give rise to concerns about the proportionality of such an approach and will require an appropriately strong justification and must be kept under regular review. Applications in relation to licensed premises must take into account the circumstances surrounding that application and whether a requirement to have a surveillance camera system is appropriate in that particular case. For example, it is unlikely that a trouble-free community pub would present a pressing need such that a surveillance camera condition would be justified. In such circumstances where a licence or certificate is granted subject to surveillance camera system conditions, the consideration of all other guiding principles in this code is a matter for the licensee as the system operator.

Guiding principle one states:

Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

Legitimate aim and necessity are considered in relation to the four licensing objectives which are set out elsewhere within this report if the Committee is considering conditioning any premises licence with the installation of a CCTV surveillance system.

EXISTING HOURS – Q CLUB								
	B) Films – Indoors	E) Live Music – Indoors	F) Recorded Music – Indoors	G) Performance of Dance – Indoors	H) Anything of a similar description to E), F) or G) – indoors	I) Late Night Refreshment – Indoors	J) Supply of Alcohol - on & off the premises	Hours premises are open to the public
Monday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-02:30am
Tuesday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-02:30am
Wednesday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-02:30am
Thursday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-03:30am
Friday	7:00pm-03:00am	7:00pm-03:00am	8:00pm-03:00am	7:00pm-03:00am	7:00pm-03:00am	11.00pm – 03:00am	8:00pm-03:00am	10.00am-03:30am
Saturday	7:00pm-03:00am	7:00pm-03:00am	8:00pm-03:00am	7:00pm-03:00am	7:00pm-03:00am	11.00pm – 03:00am	8:00pm-03:00am	10.00am-02:30am
Sunday	Midday-02:00am	Midday-02:00am	Midday-02:00am	Midday-02:00am	Midday-02:00am	11.00pm – 02:00am	Midday-02:00am	10.00am-02:30am
Bank Holiday Sundays	Midday-03:00am	Midday-03:00am	Midday-03:00am	Midday-03:00am	Midday-03:00am	11.00pm – 03:00am	Midday-03:00am	10.00am-03:30am
Saturday when British Summer Time starts – Extra 1 hour added to the end of permitted hours when permitted hours extend beyond 02:00am								
New Years Eve - from the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.								

Appendix A

PROPOSED HOURS – Q CLUB								
	B) Films – Indoors	E) Live Music – Indoors	F) Recorded Music – Indoors	G) Performance of Dance – Indoors	H) Anything of a similar description to E), F) or G) – indoors	I) Late Night Refreshment – Indoors	J) Supply of Alcohol - on & off the premises	Hours premises are open to the public
Monday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-02:30am
Tuesday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-02:30am
Wednesday	7:00pm-03:00am	7:00pm-03:00am	8:00pm-03:00am	7:00pm-03:00am	7:00pm-03:00am	11.00pm – 03:00am	8:00pm-03:00am	10.00am-03:30am
Thursday	7:00pm-02:00am	7:00pm-02:00am	8:00pm-02:00am	7:00pm-02:00am	7:00pm-02:00am	11.00pm – 02:00am	8:00pm-02:00am	10.00am-03:30am
Friday	7:00pm-04:00am	7:00pm-04:00am	8:00pm-04:00am	7:00pm-04:00am	7:00pm-04:00am	11.00pm – 04:00am	8:00pm-04:00am	10.00am-04:30am
Saturday	7:00pm-04:00am	7:00pm-04:00am	8:00pm-04:00am	7:00pm-04:00am	7:00pm-04:00am	11.00pm – 04:00am	8:00pm-04:00am	10.00am-04:30am
Sunday	Midday-02:00am	Midday-02:00am	Midday-02:00am	Midday-02:00am	Midday-02:00am	11.00pm – 02:00am	Midday-02:00am	10.00am-02:30am
Bank Holiday Sundays	Midday-03:00am	Midday-03:00am	Midday-03:00am	Midday-03:00am	Midday-03:00am	11.00pm – 03:00am	Midday-03:00am	10.00am-03:30am
Saturday when British Summer Time starts – Extra 1 hour added to the end of permitted hours when permitted hours extend beyond 02:00am								
New Years Eve - from the end of permitted hours on New Year’s Eve to the start of permitted hours on New Year’s Day.								



East Devon
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@eastdevon.gov.uk
 Telephone: 01395 517410

* required information

Section 1 of 17

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

System reference

Not Currently In Use

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

Your reference

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

PAUL AND KIMBERLY

* Family name

KORTLAND

* E-mail

pk@byways.eclipse.co.uk

Main telephone number

01395 265333

Include country code.

Other telephone number

07710 358001

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

Are you:

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

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

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	THE Q CLUB
* Street	ELM GROVE
District	MANCHESTER STREET
* City or town	EXMOUTH
County or administrative area	DEVON
* Postcode	EX8 1DJ
* Country	United Kingdom

Section 2 of 17

APPLICATION DETAILS

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

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

* Premises Licence Number

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

- Address OS map reference Description

Postal Address Of Premises

Building number or name	THE Q CLUB, LUSH & QUBE
Street	ELM GROVE
District	MANCHESTER STREET
City or town	EXMOUTH
County or administrative area	DEVON
Postcode	EX8 1DJ
Country	United Kingdom

Premises Contact Details

Telephone number	01395 265333
Non-domestic rateable value of premises (£)	55,000

Section 3 of 17

VARIATION

Continued from previous page...

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

Yes No

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

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

THE PREMISES ARE A DETACHED 2 STOREY BUILDING ON THE CORNER OF ELM GROVE AND MANCHESTER STREET PURPOSE BUILT IN 1998 TO OPERATE AS A NIGHTCLUB ON THE GROUND FLOOR AND A SNOOKER CLUB ON THE FIRST FLOOR. WITH THE INTRODUCTION OF THE NEW LICENSING LAWS IN 2005 , THE NO SMOKING BAN IN 2007 AND THE CLOSURE OF ROLLE COLLEGE IN 2008, THE CUSTOMER BASE HAS CHANGED SUBSTANTIALLY AND THE BUSINESS HAS BEEN REQUIRED TO ADAPT TO THESE CHANGES.

DUE TO THE DECREASING POPULARITY OF SNOOKER, PART OF THE FIRST FLOOR WAS CONVERTED TO A SEXUAL ENTERTAINMENT VENUE IN 2008 AND 2 YEARS LATER THE REST OF THE FIRST FLOOR WAS CONVERTED TO A DANCE LOUNGE. SINCE THEN TRADING CONDITIONS HAVE RADICALLY CHANGED AGAIN, MAINLY CAUSED BY CHEAP SUPERMARKET SALES OF ALCOHOL, WITH CUSTOMERS NOT ARRIVING AT THE PREMISES UNTIL AFTER MIDNIGHT, THE TRADING HOURS HAVE THEREFORE BECOME MUCH SHORTER. OUR APPLICATION IS :

1. TO EXTEND THE LICENSING ACTIVITIES AND THE TERMINAL HOUR ON WEDNESDAY, FRIDAY AND SATURDAY ONLY. ALL TO BE INCREASED BY 1 HOUR FROM EXISTING. ALL OTHER TIMINGS ON DAYS NOT PART OF THIS APPLICATION TO REMAIN THE SAME.

2. TO CONSTRUCT A COCKTAIL BAR ON THE GROUND FLOOR AS SHOWN ON PLAN 05.1910.20E

A) GENERAL LICENSING OBJECTIVES (B,C,D,E)

WE ARE VERY EXPERIENCED OPERATORS OF LICENSED PREMISES, WITH OVER 10 YEARS EXPERIENCE AT THE Q CLUB, 5 YEARS IN TORQUAY AND 7 YEARS IN EXETER. WE HAVE WRITTEN TRAINING POLICIES AND FORMAL TRAINING PROGRAMMES IN PLACE WHICH ENSURE OUR EMPLOYEES ARE EQUIPPED TO MEET ALL THE LICENSING OBJECTIVES. WE OPERATE A CHALLENGE 21 POLICY WHEREBY IF AN INDIVIDUAL DOES NOT LOOK 21 THEY HAVE TO PROVE THEY ARE 18.

B) THE PREVENTION OF CRIME AND DISORDER

THE PREMISES HAVE 4 RECORDING DEVICES (DVR'S) WHICH DIGITALLY RECORD CONTINUOUSLY FROM THE 52 CAMERAS ON THE PREMISES. 2 OF THESE ARE INFRA RED FOR OUTSIDE RECORDING IN LOW LEVELS OF LIGHT. WE ALSO HAVE A REMOTE FACILITY SO THAT THEY CAN BE ACCESSED FROM ANY PC VIA THE INTERNET. WE OPERATE A POLICY OF 1 DOORMAN TO EVERY 50 PEOPLE , IN EXCESS OF THE NUMBER REQUIRED BY OUR LICENCE. WE HAVE WORKED CLOSELY

Continued from previous page...

WITH SAFEGUARD SECURITY SINCE 2005 AND DEVELOPED SYSTEMS WITH THEM TO ENSURE WE ARE PROFESSIONAL IN OUR APPROACH TO THE LICENSING OBJECTIVES. WE HAVE A CLOSE WORKING RELATIONSHIP WITH THEM AND THE POLICE TO PREVENT CRIME AND DISORDER ON AND OFF OUR PREMISES. A MEMBER OF OUR MANAGEMENT TEAM, WHO ALSO IS A LICENCE HOLDER, IS ON THE PREMISES ON EACH EVENING WE ARE OPEN.

C) PUBLIC SAFETY

WE HAVE WORKED CLOSELY WITH SAFEGUARD ON ISSUES OF PUBLIC SAFETY AND THEY ARE ACCREDITED TRAINERS FOR ALL PUBLIC SAFETY ISSUES AND WE TAKE ADVANTAGE OF THIS TO ENSURE ALL NEW EMPLOYEES ARE GIVEN AN INDUCTION IN PUBLIC SAFETY. REGULAR DRILLS ARE CARRIED OUT BY OUR MANAGEMENT TO ENSURE THAT THESE PRINCIPLES ARE UNDERSTOOD BY ALL EMPLOYEES AND CAN BE OPERATED IN THE EVENT OF AN EMERGENCY

D) THE PREVENTION OF PUBLIC NUISANCE

WE HAVE DEVELOPED STRATEGIES OVER THE LAST 25 YEARS TO ENSURE WE CAN MANAGE OUR CUSTOMERS ON AND OFF OUR PREMISES. WE HAVE DISPERSAL POLICIES IN FORCE AT THE END OF EACH EVENING TO ENSURE THAT OUR CUSTOMERS LEAVE QUICKLY AND QUIETLY FROM OUR PREMISES. WE HAVE RELATIONSHIPS WITH SEVERAL TAXI FIRMS WHO COLLECT FROM OUR FRONT ENTRANCE . MOST CUSTOMERS LEAVE VIA ELM GROVE AND MANCHESTER STREET INTO THE STRAND AWAY FROM THE MAIN RESIDENTIAL AREA NEAR IMPERIAL ROAD. WE HAVE A DEDICATED STREET MARSHAL, EMPLOYED BY SAFEGUARD, TO ENSURE THAT ALL CUSTOMERS ARRIVE AND LEAVE IN AN ORDERLY MANNER ON BUSY NIGHTS.

E) THE PROTECTION OF CHILDREN FROM HARM

WE OPERATE OUR STRICT CHALLENGE 21 POLICY AT THE DOOR AND ANYBODY FOUND ATTEMPTING TO GAIN ENTRY USING FALSE ID IS SPOKEN TO BY THE POLICE WHO DECIDE WHETHER A THE ID IS RETURNED.

Section 4 of 17

PROVISION OF PLAYS

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

Yes No

Section 5 of 17

PROVISION OF FILMS

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="03:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the exhibition of films take place indoors or outdoors or both?

- Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for the exhibition of film.

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

AS EXISTING

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

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

AS EXISTING

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

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

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

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

Yes

No

Section 8 of 17

PROVISION OF LIVE MUSIC

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

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for the performance of live music

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

AS EXISTING

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

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

AS EXISTING

Section 9 of 17

PROVISION OF RECORDED MUSIC

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Continued from previous page...

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for playing recorded music.

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

AS EXISTING

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

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

AS EXISTING

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Continued from previous page...

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of dance take place indoors or outdoors or both?

Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for the performance of dance.

Continued from previous page...

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

AS EXISTING

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

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

AS EXISTING

Section 11 of 17

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

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

Yes No

Standard Days And Timings

MONDAY

Start 19:00

End 02:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 19:00

End 02:00

Start

End

WEDNESDAY

Start 19:00

End 03:00

Start

End

THURSDAY

Start 19:00

End 03:00

Start

End

FRIDAY

Start 19:00

End 04:00

Start

End

Continued from previous page...

SATURDAY

Start 19:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 02:00

Start

End

Provide a description of the type of entertainment that will be provided.

AS EXISTING

Will this entertainment take place indoors or outdoors or both?

Indoors Outdoors Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations for entertainment.

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

AS EXISTING

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

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

AS EXISTING

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

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

Continued from previous page...

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

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Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors

Outdoors

Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

AS EXISTING

State any seasonal variations.

Continued from previous page...

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

AS EXISTING

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

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

AS EXISTING

Section 13 of 17

SUPPLY OF ALCOHOL

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

Yes

No

Standard Days And Timings

MONDAY

Start 20:00

End 02:00

Start

End

TUESDAY

Start 20:00

End 02:00

Start

End

WEDNESDAY

Start 20:00

End 03:00

Start

End

THURSDAY

Start 20:00

End 03:00

Start

End

FRIDAY

Start 20:00

End 04:00

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

SATURDAY

Start 20:00

End 04:00

Start

End

SUNDAY

Start 12:00

End 02:00

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

AS EXISTING

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

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

AS EXISTING

Section 14 of 17

ADULT ENTERTAINMENT

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

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

SEV HELD SEPARATELY BY LUSH OPERATING ON THE FIRST FLOOR

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

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Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

AS EXISTING

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

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

AS EXISTING

Continued from previous page...

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

NONE

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

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

Section 16 of 17

LICENSING OBJECTIVES

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

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

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

A) GENERAL LICENSING OBJECTIVES (B,C,D,E)
EXISTING CONDITIONS WILL REMAIN THE SAME WITH A FEW ADDITIONS

b) The prevention of crime and disorder

B) THE PREVENTION OF CRIME AND DISORDER
EXISTING CONDITIONS WILL REMAIN THE SAME BUT TO IMPROVE THE PREVENTION OF CRIME AND DISORDER,
THE LICENCE HOLDER WILL INSTALL ANOTHER DVR TO SPECIFICALLY RECORD, USING AN INFRA RED OR BETTER DIGITAL CAMERA, THE MOVEMENTS OF OUR CUSTOMERS ARRIVING AND LEAVING BY ELM GROVE.
THE LICENCE HOLDER WILL PROVIDE A STREET MARSHAL, WHO WILL BE A TRAINED FIRST AIDER, TO PATROL ELM GROVE AND MANCHESTER STREET ON FRIDAY AND SATURDAY NIGHTS FROM 23.00 UNTIL 30 MINUTES AFTER THE CLOSING TIME

c) Public safety

C) PUBLIC SAFETY
EXISTING CONDITIONS REMAIN THE SAME BUT TO IMPROVE PUBLIC SAFETY
THE LICENCE HOLDER WILL REQUIRE ALL EXISTING AND NEW MEMBERS OF STAFF TO BE GIVEN AN INDUCTION IN PUBLIC SAFETY BY SAFEGUARD SECURITY, WITH DRILLS ON A QUARTERLY BASIS.
THE LICENCE HOLDER WILL PROVIDE A STREET MARSHAL, WHO WILL BE A TRAINED FIRST AIDER, TO PATROL ELM GROVE AND MANCHESTER STREET ON FRIDAY AND SATURDAY NIGHTS FROM 23.00 UNTIL 30 MINUTES AFTER THE CLOSING TIME

d) The prevention of public nuisance

Continued from previous page...

D) THE PREVENTION OF PUBLIC NUISANCE
EXISTING CONDITIONS REMAIN THE SAME BUT TO IMPROVE THE PREVENTION OF PUBLIC NUISANCE

THE LICENCE HOLDER WILL PROVIDE A STREET MARSHAL WHO WILL ORGANISE THE QUEUE ON BUSY NIGHTS AND ALSO ENSURE OUR CUSTOMERS LEAVE OUR PREMISES QUICKLY AND QUIETLY AT CLOSING TIME

e) The protection of children from harm

E) THE PROTECTION OF CHILDREN FROM HARM
EXISTING CONDITIONS REMAIN THE SAME

Section 17 of 17

PAYMENT DETAILS

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

Non domestic Rateable Value Band

A No rateable value to £4,300

B £4,301 to £33,000

C £33,001 to £87,000

D £87,001 to £125,000

E £125,001 and above

A multiplier will be applied to premises in Bands D & E where they are used exclusively or primarily for the supply of alcohol for consumption on the premises

Band D X2 (£900)

Band E X3 (£1905)

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

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

Continued from previous page...

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

* Full name

* Capacity

Date (dd/mm/yyyy)

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

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

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507



Licensing Act 2003 Premises Licence

PLWA0539

East Devon District Council has granted this Premises Licence in accordance with the Licensing Act 2003. The licence authorises the identified premises to accommodate the licensable activities set out in the document and the plan deposited with and approved by the Licensing Authority. Where the sale of alcohol is authorised as a licensable activity the licence identifies the Designated Premises Supervisor.

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Q Club (The)

Elm Grove, EXMOUTH, Devon, EX8 1DJ.

Telephone 01395 265333

WHERE THE LICENCE IS TIME LIMITED THE DATES

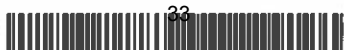
Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an exhibition of a film
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			



Licensing Act 2003 Premises Licence

PLWA0539

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)			
	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		
F. Playing of recorded music (Indoors)			
	Monday to Thursday	8:00pm	2:00am
	Friday & Saturday	8:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	8:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		
G. Performance of dance (Indoors)			
	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		



Licensing Act 2003
Premises Licence

PLWA0539

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			
I. Late night refreshment (Indoors)	Monday to Thursday & Sunday	11:00pm	2:00am
	Friday & Saturday	11:00pm	3:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve	11:00pm	5:00am
	Bank Holiday Sundays	11:00pm	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	8:00pm	2:00am
	Friday & Saturday	8:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	8:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			



East Devon District Council
Knowle
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DX 48705 Sidmouth
Tel: 01395 516551
Fax: 01395 517507



Licensing Act 2003 Premises Licence

PLWA0539

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday & Sunday	10:00am	2:30am
Friday & Saturday	10:00am	3:30am
Non Standard Timings:		
An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
New Year's Eve	10:00am	Midnight
And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Bank Holiday Sundays	10:00am	3:30am
Applies to Easter, May, Spring & August Bank Holiday Sundays.		

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

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

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

Paul Hendrik Kortland
info@q-club.co.uk

Byways House, Green Lane, Exton, EXETER, Devon, EX3 0PW.
Telephone 01392 879630 (Home) or 01395 265333

Kimberley Jean KORTLAND
info@q-club.co.uk

Byways House, Green Lane, Exton, EXETER, Devon, EX3 0PW.
Telephone 01395 265333

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

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

John Derek HUTCHINSON

122 St Katherines Road, Whipton, EXETER, Devon, EX4 7JJ.
Telephone 01392 427009/01395 265333 or 07749 492664

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

Licence No. EDVE0229

Issued by East Devon



East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

DX 48705 Sidmouth

Tel: 01395 516551

Fax: 01395 517507



Licensing Act 2003
Premises Licence

PLWA0539

R. L. Pocock

Rachel L Pocock

Corporate Legal and Democratic Services Manager



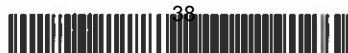
Licensing Act 2003 Premises Licence

PLWA0539

ANNEXES

ANNEXE 1 - MANDATORY CONDITIONS

1. (a) There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.
(b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
Source: Section 19 Licensing Act 2003
2. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children -
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
Source: Section 19 & 19A Licensing Act 2003
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
Source: Section 19 & 19A Licensing Act 2003
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.



Licensing Act 2003 Premises Licence

PLWA0539

ANNEXES continued ...

- Source: Section 19 & 19A Licensing Act 2003
5. (1) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- Source: Section 19 & 19A Licensing Act 2003
6. The responsible person shall ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.
- Source: Section 19 & 19A Licensing Act 2003
7. (a) Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification applied by the body designated as the authority under Section 4 of the Video Recordings Act 1984.
- (b) Where the film classification is not specified or where the Licensing Authority notifies the licence holder that Section 20(3) (b) applies to the film in question, admission of children must be restricted in accordance with any recommendations made by the Licensing Authority.
- Source: Section 20 Licensing Act 2003
8. Any person used to carry out a security activity as required under conditions 4 and 7 of the premises operating schedule (Annexe 2) must be licensed by the Security Industry Authority.
- Source: Section 21 Licensing Act 2003

ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. CCTV must be installed, operated and maintained to the satisfaction of the Chief Officer of Police.
2. CCTV recordings must be maintained for one month unless a different period is agreed in writing with the Chief Officer of Police.
3. Notices must be prominently displayed at the entrance to the premises stating that a CCTV system is in operation.

This condition applies to the Ground Floor only

4. Suitable doorstaff must be employed from when the premises are opened until 30 minutes after the end of licensing hours. All doorstaff must be employed at a ratio of 1:75 unless the licensing authority direct otherwise in writing to the premises licence holder. In addition a female door supervisor must be employed if searches are to be conducted on female customers.



Licensing Act 2003
Premises Licence

PLWA0539

ANNEXES continued ...

These conditions apply to the First Floor Bar Area only

5. The existing digital CCTV system must be extended to cover the First Floor bar area and data to be kept for fourteen (14) days.
6. Should the CCTV equipment become inoperative the Police and Licensing Authority must be informed within seven (7) days and immediate steps to be taken to restore the equipment to full working order.
7. Suitable doorstaff must be employed when licensable activities are taking place from when the premises are opened until 30 minutes after the premises close.
8. When doorstaff are employed a minimum of one doorstaff to be employed on the entrance with a ratio of 1:75 inside the premises.

ANNEXE 3 CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

1. If the CCTV equipment is inoperative the Licensing Authority must be informed as soon as possible and immediate steps must be taken to restore the equipment to full working order.
2. Irresponsible drinks promotions must not be permitted, and the Standards for the Management of Responsible Drinks promotions including Happy Hours produced by the British Beer and Pub Association will be complied with.
3. A proof of age policy agreed in writing by the Licensing Authority must be enforced.
4. The licence holder must ensure that staff regularly patrol the premises both indoors and out to supervise the orderly conduct of patrons.
5. Prominent, legible notices requesting people to leave the premises and the area quietly must be displayed at all exits.
6. No person carrying open or sealed bottles or glasses will be admitted to the premises at any time.
7. No customers will be permitted to take open containers of alcoholic or soft drinks from the premises.

ANNEXE 4 - PLAN APPROVED BY THE LICENSING AUTHORITY

The licensable activities authorised by this licence will be confined to the areas that are outlined in **RED** on the plans submitted to and approved by the Licensing Authority.



East Devon District Council
 Knowle
 Sidmouth
 Devon
 EX10 8HL
 DX 48705 Sidmouth
 Tel: 01395 516551
 Fax: 01395 517507



Licensing Act 2003
Premises Licence Summary **PLWA0539**

East Devon District Council has granted this Premises Licence in accordance with the Licensing Act 2003. The licence authorises the identified premises to accommodate the licensable activities set out in the document and the plan deposited with and approved by the Licensing Authority. Where the sale of alcohol is authorised as a licensable activity the licence identifies the Designated Premises Supervisor.

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Q Club (The)
 Elm Grove, EXMOUTH, Devon, EX8 1DJ. Telephone 01395 265333

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

- LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**
- an exhibition of a film
 - a performance of live music
 - any playing of recorded music
 - a performance of dance
 - entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
 - provision of late night refreshment
 - the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
B. Exhibition of films (Indoors)	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			



Licensing Act 2003 Premises Licence Summary

PLWA0539

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)			
	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		
F. Playing of recorded music (Indoors)			
	Monday to Thursday	8:00pm	2:00am
	Friday & Saturday	8:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	8:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		
G. Performance of dance (Indoors)			
	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		



Licensing Act 2003 Premises Licence Summary

PLWA0539

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Monday to Thursday	7:00pm	2:00am
	Friday & Saturday	7:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	7:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	New Year's Eve-On a Sunday	Noon	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
	Bank Holiday Sundays	Noon	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			
I. Late night refreshment (Indoors)	Monday to Thursday & Sunday	11:00pm	2:00am
	Friday & Saturday	11:00pm	3:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve	11:00pm	5:00am
	Bank Holiday Sundays	11:00pm	3:00am
	Applies to Easter, May, Spring & August Bank Holiday Sundays.		
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Thursday	8:00pm	2:00am
	Friday & Saturday	8:00pm	3:00am
	Sunday	Noon	2:00am
	Non Standard Timings:		
	An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
	New Year's Eve-Except Sundays	8:00pm	Midnight
	And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
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	Bank Holiday Sundays	Noon	3:00am
Applies to Easter, May, Spring & August Bank Holiday Sundays.			



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Licensing Act 2003 Premises Licence Summary

PLWA0539

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday & Sunday	10:00am	2:30am
Friday & Saturday	10:00am	3:30am
Non Standard Timings:		
An extra one (1) hour added to the end of permitted hours on the Saturday when British Summer Time begins when the normal permitted hours extend beyond 2 am.		
New Year's Eve	10:00am	Midnight
And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Bank Holiday Sundays	10:00am	3:30am
Applies to Easter, May, Spring & August Bank Holiday Sundays.		

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

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Paul Hendrik Kortland Byways House, Green Lane, Exton, EXETER, Devon, EX3 0PW.
Kimberley Jean KORTLAND Byways House, Green Lane, Exton, EXETER, Devon, EX3 0PW.

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

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

John Derek HUTCHINSON

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

Not applicable

Rachel L Pocock

Corporate Legal and Democratic Services Manager



REPRESENTATIONS LIST

APPENDIX D

Application No: 036845 **Application Date:** 10 June 2014
Licence Type: Premises Licence WITH Alcohol **Licence No:** PLWA0539
Application Type: Variation Application

Premises: Q Club (The)
Elm Grove, EXMOUTH, Devon, EX8 1DJ.

Applicant: Paul Hendrik Kortland
Byways House, Green Lane, Exton, EXETER, Devon, EX3 0PW.

Person making Representation: Exmouth Town Council
The Town Hall, St Andrews Road, EXMOUTH, Devon, EX8 1AW.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Exmouth Town Planning Committee discussed the above license application and the Town Council wish to make the following comment on the application.

"Objection on the grounds of the "prevention of public nuisance" and "the prevention of crime and disorder". A uniform policy had been agreed of 3.30am within Exmouth on Friday and Saturday, changing this would set a precedent for other establishments within the town. The Committee had no objection to the bottle bar on the ground floor"

The committee discussed the impact of a later opening would be an increased nuisance to residents in the locality and that it would set a precedent to other establishments to request longer licensing hours. The potential for drinkers to carry out criminal acts when dispersing within the town would be heightened with the prolonged drinking time.

Evidence:

Suggestion:

Person making Representation: Environmental Health Officer
East Devon District Council, Knowle, SIDMOUTH, Devon, EX10 8HL.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Subject: The Q Club Manchester Street Exmouth
Variation Application

I have considered the proposal along with the proposed operating schedule. At present I do not feel that there are adequate safeguards in place to prevent public nuisance so accordingly I would like to make a REPRESENTATION.

I am concerned regarding the provision of Live and Recorded Music until 0300hrs Wednesdays and 0400hrs on Fridays and Saturdays. The extension of 1 hour on these nights will have the potential through noise issues to give rise to public nuisance from patrons using this area.

It is possible that following further discussions with the applicant, amendments can be made to the operating schedule to introduce the safeguards I would like to see and this would enable me to then withdraw this representation. However, for the time being I recommend that the Licensing and Enforcement Committee is minded not to grant this variation to the existing licence.

Evidence:

Suggestion:

Application No: 036845

Premises: Q Club (The)
Elm Grove, EXMOUTH, Devon, EX8 1DJ.

Person making Representation: Devon & Cornwall Constabulary
Devon & Cornwall Police HQ, Middlemoor, Exeter, Devon, EX2 7HQ.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Premises Licence Variation - Q Club, Exmouth

Please accept this email as notice that the Police wish to object to the variation at the above premises.

Please note that we are content with the part of the application that relates to the construction of a cocktail bar on the ground floor. The objection relates specifically to the extension of hours on Wednesday, Friday & Saturday.

We feel that the grant of this licence will adversely affect the licensing objectives and will lead to an increase in crime and disorder and public nuisance. I have been in discussion with Paul Kortland with the aim on reaching an agreement. At the current time Mr Kortland has indicated he will be willing to remove the Friday extension from the application. However we feel the impact of the extension on the others days will still have a negative impact on these licensing objectives.

It is our intention to submit further information in support of our objection in due course.

Evidence:

Suggestion:

Q Club – Responses to Notice of Hearing

Applicant

Mr Paul Hendrik Kortland and Mrs Kimberley Jean Kortland, Byways, Green Lane, Exton, EX3 0PW	
Hearing Unnecessary	Yes
Attending	Yes
Represented by	Mr Graham Gover, Solicitor. 10 Southernhay West, Exeter, EX1 1JG
Supporting documents	Yes: CCTV disk recordings from several nights to reinforce that our procedures for dispersal, operational strategies and safety policies all assist in strengthening our application. We will also rely on: The Licensing Act 2003 Police Objection withdrawn Environmental Health Objection withdrawn No Local Residents Objections received
Summary of key points	Yes
Prevention of crime and disorder	<ul style="list-style-type: none"> • CCTV recording show strategies working • Close relationship with Police and Safeguard • One doorstaff to fifty exceeds minimum required • Licence holder and DPS always on site • Street marshall operated by safeguard
Public safety	
Prevention of public nuisance	<ul style="list-style-type: none"> • CCTV recordings show speed of dispersal • CCTV recordings show where crowds arrive and leave from – The Strand – not residential • Taxi rank in Strand • Street marshall operated to enhance prevention of public nuisance
Protection of children from harm	

Responsible Authorities & Interested Parties

1.	Exmouth Town Council, The Town Hall, St Andrews Road, Exmouth, EX8 1AW
Hearing Unnecessary	No
Attending	Yes
Represented by	Cllr Eileen Wragg 91 Victoria Road, Exmouth, EX8 1DR. Cllr Wragg will represent Exmouth Town Council following her attendance at the Town Planning meeting.
Supporting documents	No

APPENDIX E

Summary of key points	<p>Yes:</p> <p>The standard licensing hours should be 3am (closing time of 3:30am) on Friday and Saturday so that they are uniform throughout Exmouth.</p> <p>The impact of a later opening would be an increased nuisance to residents in the locality and that it would set a precedent to other establishments to request longer licensing hours. The potential for drinkers to carry out anti social acts when dispersing within the town would be heightened with the prolonged drinking time.</p>
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APPENDIX F

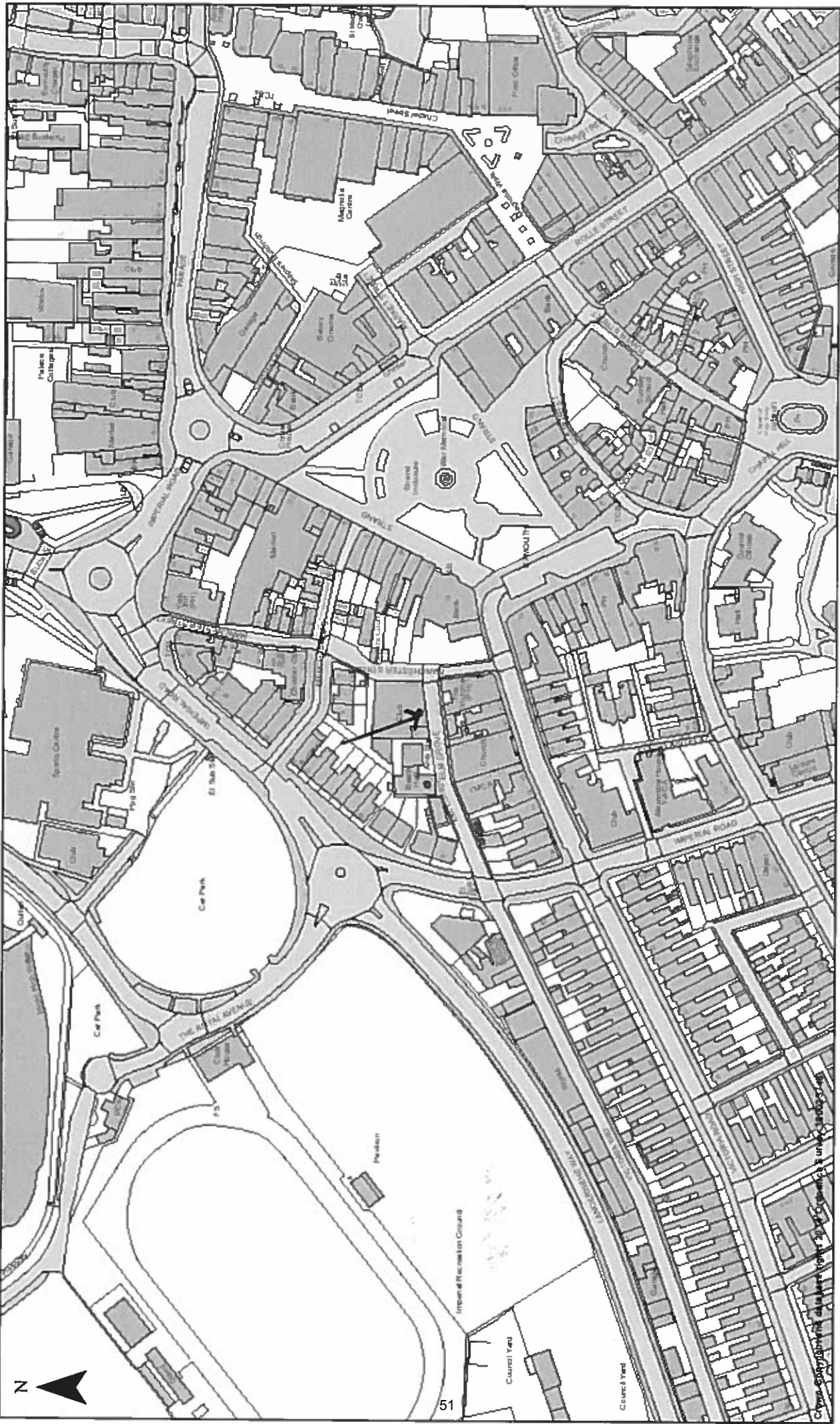
1. The Licence Holder will install another DVR to specifically record, using an infra red or better digital camera, the movements of our customers arriving and leaving by Elm Grove.
2. The Licence Holder will provide a street marshall, who will be a trained first aider, to patrol Elm Grove and Manchester Street on Friday and Saturday nights from 2300 hours to 30 minutes after closing time.
3. The street marshall will organise the queue waiting for entry on busy nights and also ensure our customers leave our premises quickly and quietly at closing time.
4. The licence Holder will require all existing and new members of staff to be given an induction in public safety by Safeguard Security, with drills on a quarterly basis.

APPENDIX G

Amendments agreed following mediation

1. Amend the hours applied for on Wednesdays to finish licensable activities at 3am instead of 4am with a 3.30am close.
2. Withdraw the application to extend hours on Fridays.
3. Amend the hours applied for on Saturdays to finish licensable activities at 3.30am instead of 4am with a 4am close.

Appendix H



Q Club, Elm Grove, Exmouth, Devon, EX8 1DJ
 Licensing Sub Committee 06/08/2014

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