

# Agenda for Licensing & Enforcement Sub Committee

Wednesday, 12 April 2017; 9.30am

[Members of the Committee](#)

Members of the Sub Committee will be Councillors:  
Steve Hall, Jim Knight, John O'Leary

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

[View directions](#)

**Contact:** [Chris Lane](#), 01395 571544 (or group number 01395 517546): Issued 4 April 2017



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- 1 Minutes for 29 March 2017 (pages 2-3)
- 2 Apologies
- 3 [Declarations of interest](#)
- 4 [Matters of urgency](#) – none identified
- 5 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

- 6 **Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**  
**Devon Cliffs Holiday Park** (pages 4-5)
- 7 **Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary**  
**Livestock Festival 2017** (pages 6-7)
- 8 **To consider an application for the grant of a premises licence – To allow live and recorded music, performance of dance, late night refreshment and the sale of alcohol on the premises at Sidmouth Harbour Hotel, Manor Road, Sidmouth EX10 6LW**  
(pages 8-69).

**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)**

[Decision making and equalities](#)

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# EAST DEVON DISTRICT COUNCIL

## Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 29 March 2017

Present: Councillors:  
Jim Knight (Chairman)  
Colin Brown  
Geoff Jung

Also present: Councillor Steve Hall

Officers: Emily Westlake – Licensing Officer  
Lesley Carlo – Licensing Officer  
Chris Lane – Democratic Services Officer  
Giles Salter – Solicitor  
Steve Saunders – Licensing Officer

The meeting started at 9.30 am and ended at 11.20 am.

### \*19 Minutes

The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 22 March 2017, were confirmed and signed as a true record.

### \*20 Exempt Information

**RESOLVED** that the classification given to the documents to be submitted to the Sub-Committee be confirmed and that the report relating to exempt information be dealt with under Part B of the agenda.

### \*21 Private Hire Vehicle Suitability

Consideration was given to the report of the Licensing Officer which set out the District Council's policy that on initial licensing a Private Hire vehicle should be no more than four years old from the date of first registration. Vehicles should not normally be licensed in the case of ordinary cars beyond eight years old and purpose built hackney carriages beyond ten years of age. Members were asked to consider licensing a vehicle as a private hire which was 5 years and 6 months old. The vehicle was a Mercedes Benz in exceptional condition.

**RESOLVED** that the application to licence a Mercedes Benz registration number LG61LWA as a private hire vehicle, despite falling outside of the criteria required by East Devon District Council, be granted as an exception because of its exceptional condition it was considered to be an exception to the policy and the Sub Committee were satisfied that it could be licensed.

### \*22 Exclusion of the Public

**RESOLVED** that under Section 100(A) (4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt information, of the description set out on the agenda, is likely to be disclosed and on balance the public interest is in discussing this item in private session.

\*23 Hackney Carriage Driver Suitability  
Consideration was given to whether an applicant was a fit and proper person to be licensed as a Hackney Carriage Driver. Members considered the Council's policy on medical issues, the overriding duty of the Sub Committee was protection of the public.

**RESOLVED** that, Mr MP's Hackney Carriage Drivers application for a licence be adjourned for a four week period in order to allow him to obtain a referral to the RD&E clinic to obtain an independent review of his health condition. The Sub Committee to meet again once this assessment has been received.

Chairman ..... Date .....



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

**Date of Meeting:** 12 April 2017

**Public Document:** Yes

**Exemption:** None

**Agenda item:** **Item 6**

**Subject:** Schedule of applications for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary.

**Purpose of report:** The report details these applications.

**Recommendation:** **That the application be granted as applied for subject to the agreed position set out in the schedule below, any relevant statutory conditions and the applicants having complied with relevant statutory requirements.**

**Reason for recommendation:** To comply with statutory processes.

Neil McDonald [nmcdonald@eastdevon.gov.uk](mailto:nmcdonald@eastdevon.gov.uk) 01395 517410

**Officer:**

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

**Legal implications:** The council's decision may be appealed to the Magistrates Court.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:**

**Background Papers**

The relevant licensing applications

Representations received from police

Guidance issued under Section 182 of the Licensing Act 2003

The District Council's Statement of Licensing Policy

**Link to Council Plan:** Not applicable

**Report in full**

**1. Legislation Background**

1.1 Under the Licensing Act 2003 it is unclear whether applications where an agreed position has been reached and the parties do not consider a hearing to be necessary, require to be formally determined by a licensing sub committee, as opposed to relying on determination powers delegated to officers. To put the matter beyond doubt, these applications are reported to members for their approval of the agreed position. This process also enables members to be advised of the success of the informal mediation in advance of hearings, which is facilitated by Licensing Officers or sometimes by other Responsible Authorities.

**2. Schedule of Applications**

<b>Type of Application</b>	<b>Name of premises and address</b>	<b>Agreed position reached by the parties</b>
Application for the grant of a premises licence.	Devon Cliffs Holiday Park Beach Shack, Sandy Bay, Exmouth, Devon, EX8 5BT.	<p>Following mediation the applicant and the Devon and Cornwall Constabulary have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.</p> <p>The application be approved as submitted subject to the following additional conditions:</p> <ol style="list-style-type: none"> <li>1. One member of door staff to be employed from 1200 until 1800 which will then increase to two SIA door staff from 1800 until the premises close.</li> <li>2. Staff will carry out litter duty every 30 minutes throughout the hours the premises are open to the public.</li> <li>3. There will be no sale of alcohol off the premises after 1800.</li> <li>4. CCTV cameras will be installed to cover the patio area and shop.</li> <li>5. The CCTV will be monitored by staff in the Shop and South Beach Bar at all times the premises are open to the public.</li> <li>6. Signs will be placed throughout the premises warning patrons of the dangers of entering the sea after consumption of alcohol.</li> <li>7. A warden will be employed at the Shack to monitor the area for underage proxy purchases of alcohol and will liaise at all times with the SIA door staff at the Beach premises.</li> </ol>
	Recommend approval of application subject to the amended operating schedule and the relevant mandatory conditions of the Licensing Act 2003	

Neil McDonald Ext.2079  
Licensing Officer

Licensing Sub Committee  
12 April 2017

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

Date of Meeting: 12 April 2017

Public Document: Yes

Exemption: None Agenda item: **Item 7**



**Subject:** Schedule of applications for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary.

**Purpose of report:** The report details these applications.

**Recommendation:** That the application be granted as applied for subject to the agreed position set out in the schedule below, any relevant statutory conditions and the applicants having complied with relevant statutory requirements.

**Reason for recommendation:** To comply with statutory processes.

**Links to**

Neil McDonald [nmcdonald@eastdevon.gov.uk](mailto:nmcdonald@eastdevon.gov.uk) 01395 517410

**Officer:**

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

**Legal implications:** The council's decision may be appealed to the Magistrates Court.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**background information:**

**Background Papers**

The relevant licensing applications  
Representations received from police  
Guidance issued under Section 182 of the Licensing Act 2003  
The District Council's Statement of Licensing Policy

**Link to Council Plan:** Not applicable  
**Report in full**

**1. Legislation Background**

1.1 Under the Licensing Act 2003 it is unclear whether applications where an agreed position has been reached and the parties do not consider a hearing to be necessary, require to be formally determined by a licensing sub committee, as opposed to relying on determination powers delegated to officers. To put the matter beyond doubt, these applications are reported to members for their approval of the agreed position. This process also enables members to be advised of the success of the informal mediation in advance of hearings, which is facilitated by Licensing Officers or sometimes by other Responsible Authorities.

## 2. Schedule of Applications

Type of Application	Name of premises and address	Agreed position reached by the parties
Application for the grant of a time limited premises licence.	Livestock Festival 2017, Froginwell Vineyard, Sidmouth Road, Woodbury Salterton, Devon, EX5 1EP.	<p>Following mediation the applicant and the Devon and Cornwall Constabulary have agreed that they consider a hearing to be unnecessary if the following agreed position is approved.</p> <p>The application be approved as submitted subject to the following additional conditions:</p> <ol style="list-style-type: none"> <li>1. The event will be managed by an Event Management Plan the final draft of which will be presented to the Licensing Authority and the Police by 15<sup>th</sup> June 2017.</li> <li>2. No more than 1000 tickets will be sold.</li> <li>3. SIA Door staff will be employed at the event as follows: 10.00hrs to 14.00 hrs a minimum of 4 SIA Door staff 14.00 hrs to 17.00 hrs a minimum of 7 SIA Door staff 17.00hrs to Close a minimum of 10 SIA Door staff Overnight a minimum of 2 SIA Door staff to patrol the campsite</li> <li>4. The premises will adopt a Challenge 25 proof of age policy. The only acceptable form of ID will be Passport photo driving licence and government approved PASS card.</li> <li>5. Alcohol will be dispensed into plastic or toughened glass. All bottles will be decanted.</li> </ol>
	Recommend approval of application subject to the amended operating schedule and the relevant mandatory conditions of the Licensing Act 2003	



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

**Date of Meeting:** 12 April 2017

**Public Document:** Yes

**Exemption:** None

**Agenda item:** **Item 8**

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

**Purpose of report:** The report summarises an application for the grant of a premises licence to be considered by the committee.

**Recommendation:** Recommendation

**That members consider an application for the grant of a premises licence to allow – live and recorded music, performance of dance, late night refreshment and the sale of alcohol on the premises at the Sidmouth Harbour Hotel, Manor Road, Sidmouth, Devon, EX10 8RU.**

**Reason for recommendation:** To comply with statutory processes.

**Officer:** Neil McDonald – [nmcdonald@eastdevon.gov.uk](mailto:nmcdonald@eastdevon.gov.uk) 01395 517410

**Financial implications:** There are no financial implications in this report. If the applicant appeals against the decision made there may be a possibility of court costs and minimal officer time being incurred due to the appeal.

**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 & proposed times and licensable activities.
- Appendix B – Copy of licensing application.
- Appendix C – Copy of existing premises licence – PLWA0457
- Appendix D – Details of representations received.
- Appendix E – Details of responses to the Notice of Hearing.
- Appendix F – Operating Schedule Conditions.
- Appendix G – Timings for the Victoria & Belmont Hotels
- 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 Nicholas James Hotels Ltd trading as Harbour Hotels Ltd of Flat 5, 6 Upper John Street, London, W1F9HB, for the grant of a premises licence at the Sidmouth Harbour Hotel, Manor Road, Sidmouth, Devon, EX10 8RU.
- 1.2 The existing and 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 proposed premise to be licensed is an established 57 bedroom hotel situated in its own grounds in Manor Road and fronting onto Peak Hill Road, Sidmouth. The premise has a 100 seat restaurant, bar lounge and two function rooms for guests and members of the public. The premise is situated on the outskirts of the town centre in a predominately residential area.
- 1.5 The application for the grant of a new licence has been made following a major refurbishment of the hotel including the extension of the licensed areas. The premise currently has a Premises Licence number PLWA0457 a copy of which is attached at **Appendix C**.
- 1.6 A copy of the plan of the premises will be available at the meeting for the information of the committee to show the layout of the site and the proposed areas of licensable activity.

### 2 Statutory Bodies' Response

- 2.1 Devon & Cornwall Constabulary  
No representations have been received.
- 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  
No Representations received.
- 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 sixteen local residents. Details of their representations are attached at **Appendix D**.

3.2 Details of the responses to the statutory Notice of Hearing are attached at **Appendix E**.

#### **4 Proposed Operating Schedule and Mediation**

4.1 The applicants did not feel a mediation meeting would be useful due to the number of objectors and the minimal response to a previous offer of mediation on a recent failed attempt to licence the premises.

4.2 Four local residents have indicated that they will be attending the hearing and four others advised they will not be attending but have nominated the same person to attend and represent them. Three residents have replied that they will not be attending the hearing but did not indicate whether they felt a hearing was unnecessary. Four residents advised that they would not attend the hearing but wanted their representations considered by the committee. One resident did not respond to the notice of hearing.

4.3 The applicants will attend the hearing and will be represented by Mr Simon Maguire who is the head of operations for Harbour Hotels.

4.4 The conditions offered by the applicants on their operating schedule have been reproduced at **Appendix F** and have been numbered for ease of reference.

#### **5 Relevant Licensing Policy Considerations**

##### **Licensing Objectives**

5.1 Section 3.1.1 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 3.1.2 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 appropriate in achieving the licensing objectives.

5.3 Section 3.1.3 of the Policy states: A licence will only be granted where the Licensing Authority is satisfied that these objectives have been met.

##### **Conditions**

5.4 Section 6 of the policy sets out what the Sub Committee should consider before imposing conditions on a licence.

5.5 Section 6.3 of the policy states: Generally it is recognised that the licensing function is not to be seen as a mechanism for the general control of anti-social behaviour by individuals/groups once they are beyond the direct control of the licence holder of any premises concerned. But the Licensing Authority's discretion may be engaged if relevant representations are made and there is an evidential link between the disturbance and the licensed venue.

##### **Licensing Hours**

5.6 Section 10.1 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 10.4 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.

### **Nuisance**

- 5.8 Section 16.1 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**

- 5.9 Section 17.1 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.

- 5.10 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 grant of a Premises Licence to allow:
- Live music - indoors
  - Recorded music – indoors
  - Performance of dance – indoors
  - Late night refreshment - indoors
  - Sale of alcohol on the premises
- 6.3 Sidmouth Harbour Hotel is currently licensed under the name of Westcliff Hotel the licence having been converted and varied in 2005 from the old licensing regime under the local magistrates into the new format of the Licensing Act 2003. The hotel has been subject of recent major structural alterations and upgrade and the old licensed area on the ground floor has been altered and extended to such an extent that a new premises licence is required. An application for a new premises licence was originally submitted on 22 December 2016 but failed due to an error by the applicants in advertising the application in a local paper within ten working days as required under the act.
- 6.4 The current proposed application seeks to licence the ground floor areas and bedrooms on both the first and second floors of the hotel.
- 6.5 The concern of local residents is that the late hours requested for live music up to 1am and alcohol sales to non-residents to the same time is far too late for a premise in a residential area (block of flats next door occupied by many retired people). They are concerned that customers will disturb residents when they leave in their cars as late as 1:30am slamming car doors and creating general people noise. There are also concerns that the premises is advertised as a wedding venue and that linked to a recently built and enlarged outside patio area and swimming pool will again generate noise particularly during summer months when guests use the pool late at night with possible music breakout from open doors onto the patio. There are suggestions that the alcohol times be restricted to 11pm closing at midnight for non-residents and another suggesting a midnight end for alcohol sales for non-residents. Others have suggested that the timings should be similar to those of the Victoria and Belmont hotels located nearby.
- 6.6 For the information of the committee I have included a copy of the timings for licensable activities for the Victoria and the Belmont hotels but committee members will be aware that each application must be judged on its own merits and not linked to the hours granted to other licensed premises in the area. A copy of the timings are attached at **Appendix G**.
- 6.7 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.
- 6.8 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 must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises -
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the

- period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective.
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.
4. (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 designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
5. The responsible person must ensure that-
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

6. (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– 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 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 persona as 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.

## Timings – Sidmouth Harbour Hotel

### Existing Timings

	Provision Of live music (indoors)	Playing of recorded music (indoors)	Performance of dance (indoors)	I) Late night refreshment (indoors)	J) Supply of Alcohol - On the premises	Hours premises are open to the public
Monday	7:15pm – 9:15pm	7:15pm – 9:15pm	N/A	N/A	11:00pm – 11:00 pm	07:00am – 11:30pm
Tuesday	7:15pm – 9:15pm	7:15pm – 9:15pm	N/A	N/A	11:00pm – 11:00 pm	07:00am – 11:30pm
Wednesday	7:15pm – 9:15pm	7:15pm – 9:15pm	N/A	N/A	11:00pm – 11:00 pm	07:00am – 11:30pm
Thursday	7:15pm – 01:00am	7:15pm – 01:00am	7:15pm – 01:00am	11:00pm – 01:00 am	11:00pm – 12:30 am	07:00am – 01:30am
Friday	7:15pm – 01:00am	7:15pm – 01:00am	7:15pm – 01:00am	11:00pm – 01:00 am	11:00pm – 12:30 am	07:00am – 01:30am
Saturday	7:15pm – 01:00am	7:15pm – 01:00am	7:15pm – 01:00am	11:00pm – 01:00 am	11:00pm – 12:30 am	07:00am – 01:30am
Sunday	7:15pm – 9:15pm	7:15pm – 9:15pm	N/A	N/A	11:00pm – 11:00 pm	07:00am – 11:30pm
New Year's Eve	7:15pm – 02:00am	7:15pm – 02:00am	7:15pm – 02:00am	11:00pm – 02:00 am	11:00am – 01:30 am	07:00am – 02:30am
Christmas Eve	7:15pm – 02:00am	7:15pm – 02:00am	7:15pm – 02:00am	N/A	11:00am – 01:30 am	07:00am – 02:30am
Valentine's Day	7:15pm – 01:00am	7:15pm – 01:00am	7:15pm – 01:00am	N/A	11:00am – 01:00 am	07:00am – 01:30am

## Timings – Sidmouth harbour Hotel

### Proposed Timings

	Provision Of live music (indoors)	Playing of recorded music (indoors)	Performance of dance (indoors)	I) Late night refreshment (indoors)	J) Supply of Alcohol - On the premises	Hours premises are open to the public
<b>Monday</b>	7:00pm – 11:00pm	07:00am – 11:00pm	N/A	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>Tuesday</b>	7:00pm – 11:00pm	07:00am – 11:00pm	N/A	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>Wednesday</b>	7:00pm – 11:00pm	07:00am – 11:00pm	N/A	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>Thursday</b>	7:00pm – 11:00pm	07:00am – 11:00pm	7:00pm – 01:00am	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>Friday</b>	7:00pm – 01:00am	07:00am – 01:00am	7:00pm – 01:00am	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>Saturday</b>	7:00pm – 01:00am	07:00am – 01:00am	7:00pm – 01:00am	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>Sunday</b>	7:00pm – 11:00pm	07:00am – 11:00pm	N/A	11:00pm – 01:00 am	11:00pm – 01:00 am	07:00am – 01:30am
<b>New Year's Eve</b>	7:00pm – 02:30am	N/A	7:00pm – 02:00am	11:00pm – 02:00 am	11:00pm – 02:00 am	07:00am – 02:30am
<b>Christmas Eve</b>	N/A	N/A	7:00pm – 02:00am	11:00pm – 02:00 am	N/A	N/A
<b>Hotel Residents</b>	N/A	N/A	N/A	N/A	24 Hours	24 Hours



East Devon  
Application for a premises licence  
Licensing Act 2003

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

\* required information

### Section 1 of 19

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

Sidmouth Harbour Hotel

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

Kenneth

\* Family name

Cumming

\* E-mail

ken.cumming@harbourhotels.co.uk

Main telephone number

01395 5132252

Include country code.

Other telephone number

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.

### Applicant Business

Is your business registered in the UK with Companies House?

Yes  No

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

Registration number

00406990

Business name

Westcliff Hall (sidmouth ) Ltd

If your business is registered, use its registered name.

VAT number

- 125492613

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

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 19****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

Sidmouth harbour Hotel is a 57 bedroom hotel having recently undergone some major refurbishment to provide a quality establishment with a modern spacious 100 seater restaurant , bar lounge and two private function rooms , the larger function room being the Connaught Suite will hold a maximum of 120 covers and the Smaller Harbour Suite will hold a maximum of 75 Covers

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

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

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

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End



Continued from previous page...

FRIDAY

Start 19:00

End 01:00

Start

End

SATURDAY

Start 19:00

End 01:00

Start

End

SUNDAY

Start 19:00

End 23:00

Start

End

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 tick 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.

Live piano music will be playing in the hotel Friday and Saturday evenings and Sunday lunchtimes

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.

Live band music for wedding receptions that will be restricted to the size of band and amplification of music will be strictly controlled

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

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

New years eve live entertainment until 02.30am

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes       No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

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

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

Recorded music will be played throughout the day from our inhouse Sonos music ssystem

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.

Continued from previous page...

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

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

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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

Continued from previous page...

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

Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

State any seasonal variations for the performance of dance

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

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

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

Christmas Eve 19.00 to 02.00 am  
New Years Eve 19.00 to 02.00 am

**Section 13 of 19**

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

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

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

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Will this entertainment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure tick 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.

State any seasonal variations for entertainment

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

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

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

Continued from previous page...

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes  No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors  Outdoors  Both

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

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

Continued from previous page...

Servicing of evening wedding reception which could entail amplified or live music in our function room within agreed licensing hours

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

Christmas Eve 19.00 to 02.00am  
New Years Eve 19.00 to 02.00am

### Section 15 of 19

#### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

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

Continued from previous page...

FRIDAY

Start 11:00

End 01:00

Start

End

SATURDAY

Start 11:00

End 01:00

Start

End

SUNDAY

Start 11:00

End 01:00

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.

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

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

New Years Eve until 2.00am  
24 hour service of alcohol to hotel residents is required

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name



Continued from previous page...

**Enter the contact's address**

Building number or name	SIDMOUTH HARBOUR HOTEL
Street	MANOR ROAD
District	
City or town	SIDMOUTH
County or administrative area	DEVON
Postcode	EX108RU
Country	United Kingdom
Personal Licence number (if known)	EXE-000327
Issuing licensing authority (if known)	EXETER CITY COUNCIL

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**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

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

Provision of Casino tables for New Years Eve ( for entertainment purpose only no cash handling involved )

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

Continued from previous page...

TUESDAY

Start  End

Start  End

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations

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

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

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

New Years Eve until 2.30am  
Request for 24 hour sale of alcohol to residents who are staying in the hotel

**Section 18 of 19**

**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)

*Continued from previous page...*

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

The hotel provides accommodation and entertainment for all residents and non resident guests and ensure that the service provided is in line with the licensable activities of East Devon District Council.. The hotel constantly review its policies to ensure for the safety of all patrons at all times and continue to promote the four licensing objectives las listed below .

**b) The prevention of crime and disorder**

CCTV will be installed operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police. Images will be retained for a minimum of 14 days ,copies of which will be supplied to the Licensing authority or Police upon request.

The CCTV system must be operational at all times whilst the premises are trading . If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.

A4 size d warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation . The signs located at entrances should be located on the on the exterior of the building at and adjacent to , all public access doors. All signs must comply with the requirement of the Data Protection Act 2002. . If the system fails or is not working then the police shall be informed immediately. Details of any malfunction will be recorded in the premises incident book.

An incident book will be maintained with full details of all occurrences of disorder and refused alcohol sales at the premises will be recorded. The incident books will be kept on the premises at all times and will be made available for inspection by the police.

No persons carrying open or sealed bottles or glasses will be admitted to the premises at any time.

No customers will be permitted to take open containers of alcoholic from the premises.

SIA security staff shall be employed at the premises at the discretion of the Designated Premises Supervisor/Holder of the Premises s Licence in accordance with their assessment of risk for events at the premises. A written risk assessment shall be prepared. The risk assessment shall be made available for inspection by the authorities on demand.

The premises wil operate a Challenge 21 policy . The only acceptable forms of ID will be Passport,Photo Driving Licence and government approved PASS card.

**c) Public safety**

The hotel strictly control the number of people admitted to the property at any one time to ensure that there is no risk to guests or members of the public. All staff employed in the sale of alcohol are fully trained and aware of the legal obligation and their responsibilities regarding the sale of alcohol.-Irresponsible drinks promotions are 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.- All staff have received appropriate training about emergency and general safety precautions and procedures.

Free drinking water wis available at all times the premises is open to the public.

Telephone numbers of local taxi operators are prominently displayed at the premises for the benefit of customers.

All bottles and glasses and rubbish shall be removed from public areas on a regular and frequent basis.-

The electrical system at the premises, including portable appliances are inspected and tested annually by a competent person and a satisfactory safety report obtained. A competent person will be a suitably qualified electrician who is registered with the ECA or NICEIC.

The gas system, including appliances, is inspected annually and tested by a Gas Safe Registered engineer and a satisfactory Gas Safety Certificate must be obtained.

All safety certificates and inspection reports are kept on site and will be made available for inspection by officers of relevant statutory bodies.

The fire safety measures provided on the premises are maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with the Regulatory Reform (Fire Safety) Order 2005.

Adequate and supply of first aid equipment and materials is available on the premises.

Continued from previous page...

d) The prevention of public nuisance

The Sidmouth Harbour hotel has always provided for the prevention of public nuisance and in doing so provide night patrols of the property ensuring the orderly conduct of patrons leaving the premises. At all time the level of regulated entertainment taking place at the hotel is and will be strictly controlled to prevent any public nuisance. must control the volume of regulated entertainment taking place at the premises shall be controlled at all times  
There shall be no music or speech permitted to be played by external speakers without written consent .  
Suitable signage shall be displayed in the garden areas requesting patrons to respect the amenities of local residents.  
Where outside areas are provided for the use of patrons facilities for the disposing and collecting of litter will be maintained.  
Where drinks are going to be consumed in outdoor areas, they shall be served in plastic glasses.

e) The protection of children from harm

All bar staff are fully trained to ensure no under age consumption of alcohol takes place on the property and proof of age is requested at all times where age is in doubt. Drinks will be served in recreational areas in plastic glasses.  
A proof of age policy agreed in writing by us must be enforced.  
Only plastic glasses or bottles will be permitted in children's play areas, and recreational areas, or in any area where customers are required to remove footwear.

**Section 19 of 19**

**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 - Fee £100

B £4,301 to £33,000 - Fee £190

C £33,001 to £87,000 - Fee £315

D £87,001 to £125,000 - Fee £450

E £125,001 and above - Fee £635

Multiplier for Band D & E - Town centre premises used exclusively or primarily for sale of alcohol -

Band D - £ 900

Band E - £1905

Events of 5,000 or more people incur additional fees. Please see our website for details.

\* Fee amount (£)

635.00

**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

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

KENNETH CUMMING

\* Capacity

General Manager

\* Date

10 / 02 / 2016  
dd mm yyyy

Continued from previous page...

Add another signatory

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/apply-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**

**OFFICE USE ONLY**

Applicant reference number	Sidmouth Harbour Hotel
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

Licensing Act 2003  
**Premises Licence**

**PLWA0457**

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, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Sidmouth Harbour Hotel**

Manor Road, SIDMOUTH, EX10 8RU.

Telephone 01395 513252

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- 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
E. Performance of live music (Indoors)	Monday to Wednesday & Sunday	7:15pm	9:15pm
	Thursday to Saturday	7:15pm	1:00am
	Non Standard Timings:	7:15pm	1:00am
	Applies to Valentines Day (February 14).		
	Christmas Eve	7:15pm	2:00am
	New Year's Eve	7:15pm	2:00am
F. Playing of recorded music (Indoors)	Monday to Wednesday & Sunday	7:15pm	9:15pm
	Thursday to Saturday	7:15pm	1:00am
	Non Standard Timings:	7:15pm	1:00am
	Applies to Valentines Day (February 14).		
	Christmas Eve	7:15pm	2:00am
	New Year's Eve	7:15pm	2:00am
G. Performance of dance (Indoors)	Thursday to Saturday	7:15pm	1:00am
	Christmas Eve	7:15pm	2:00am
	New Year's Eve	7:15pm	2:00am
	Non Standard Timings:	7:15pm	1:00am
	Applies to Valentines Day (February 14).		



Licensing Act 2003  
**Premises Licence**

**PLWA0457**

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

Activity (and Area if applicable)	Description	Time From	Time To
I. Late night refreshment (Indoors)	Thursday to Saturday	11:00pm	1:00am
	Christmas Eve	11:00pm	2:00am
	New Year's Eve	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Wednesday & Sunday	11:00am	11:00pm
	Thursday to Saturday	11:00am	12:30am
	Christmas Eve	11:00am	1:30am
	New Year's Eve	11:00am	1:30am
	Non Standard Timings:	11:00am	1:00am
	Applies to Valentines Day (Feburary 14).		

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Wednesday & Sunday	7:00am	11:30pm
Thursday to Saturday	7:00am	1:30am
Christmas Eve	7:00am	2:30am
New Year's Eve	7:00am	2:30am
Non Standard Timings:	7:00am	1:30am
Applies to Valentines Day (Feburary 14).		

**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



Licensing Act 2003  
**Premises Licence**

**PLWA0457**

Part 2

<b>NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE</b>	
Westcliff Hall (Sidmouth) Ltd	First Floor, 10/11 Lower John Street, London, W1F 9EB. Telephone 01395 513252
<b>REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)</b>	
Westcliff Hall (Sidmouth) Ltd	406990
<b>NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL</b>	
Kenneth CUMMING	Sidmouth Harbour Hotel, Manor Road, SIDMOUTH, Devon, EX10 8RU. Telephone 01395 513252
<b>PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL</b>	
Licence No. EXE-000327	Issued by Exeter



Henry Gordon Lennox  
Strategic Lead - Legal, Licensing and Democratic Services





Licensing Act 2003

# Premises Licence

PLWA0457

## 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



Licensing Act 2003

# Premises Licence

# PLWA0457

ANNEXES continued ...

where it is reasonably available.

Source: Section 19 & 19A Licensing Act 2003

5. Any person used to carry out a security activity as required under condition 1 of the premises operating schedule must be licensed by the Security Industry Authority.  
Source: Section 21 Licensing Act 2003

## MANDATORY CONDITIONS 6 & 7 LISTED BELOW WILL COME INTO FORCE ON THIS LICENCE ON THE 1 OCTOBER 2010

6. (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
7. 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

## ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

### Embedded Conditions Consistent with the Licensing Act 1964

1. The permitted hours to sell alcohol on this licence do not prohibit or restrict on the licensed premises the sale or supply to, or consumption of alcohol by, any person residing on the premises.
2. The permitted hours to sell alcohol on this licence do not prohibit or restrict the sale of alcohol to a trader or club for the purposes of the trade or club.
3. The permitted hours to sell alcohol on this licence do not prohibit or restrict the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered.
4. The permitted hours to sell alcohol on this licence do not prohibit or restrict the taking of alcohol from the premises by a person residing there.
5. The permitted hours to sell alcohol on this licence do not prohibit or restrict the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by them at their own expense, or the consumption of persons so supplied.



Licensing Act 2003

# Premises Licence

PLWA0457

## ANNEXES continued ...

6. The permitted hours to sell alcohol on this licence do not prohibit or restrict the supply of alcohol for consumption on premises to persons employed there for the purposes of the businesses carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
7. The permitted hours to sell alcohol on this licence do not prohibit or restrict the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

### Conditions Consistent with the Operating Schedule

1. Suitable door staff registered with the Security Industry Authority to be employed from 30 minutes before the start of any event until 30 minutes after the end of permitted hours on any day that live music, recorded music, performance of dance and any entertainment of a similar nature is planned to take place on the premises with the event being open to the public and continuing after 12 midnight.
2. All doorstaff will:
  - (a) Be correctly registered with the SIA
  - (b) Display the correct name badge
  - (c) Carry proof of registration
  - (d) Be used at a ratio to be agreed by the Police and Local Authority, which is currently 1:75
  - (e) A female supervisor will be available if searches are to be conducted on female customers
  - (f) Will wear clothing that can be easily and clearly identifiable on CCTV - i.e. wear a reflective number between 1 and 99 (at least 100mm high) in a prominent position on the upper part of the body
  - (g) Will be in attendance at the entrance of the premises from 30 minutes before the start of any event until the main exit doors to the premises are closed, and any time when patrons may be queuing for access.
3. Provide proper and adequate staffing levels to meet the licensing objectives requirements.
4. Provide staff with appropriate training in safe working practices, fire and health and hygiene skills.
5. Monitor and control customer alcoholic intake and refuse service when they become excessive.
6. Only accept legitimate function bookings from reputable organisations or responsible families.
7. There will be CCTV coverage of the car park and bar areas.
8. CCTV will be installed, maintained and operated to the satisfaction of the Chief Officer of Police and Local Authority.
9. Recordings will be maintained for an appropriate period of time (generally one month - but to be agreed with Police and Local Authority).
10. If the CCTV equipment is inoperative, the Police and Local Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action.
11. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
12. Ensure high standards of maintenance to the premises.
13. Ensure high standards of working practices.



Licensing Act 2003

## Premises Licence

PLWA0457

### ANNEXES continued ...

14. Ensure continuous clearance of glass and bottles from public areas.
15. Take no more than 180 guests for a function.
16. Close the bar well before the end of a function.
17. Refuse to serve customers who show signs of being under the influence of drugs or excessive alcohol intake.
18. The premises will have a zero tolerance policy on the use or supply of illegal drugs.
19. The designated premises supervisor will arrange for staff to supervise all customers departing from the premises after a function.
20. The designated premises supervisor, or such person so authorised by him, will control the volume of music or other apparatus used.
21. A proof of age policy agreed by the police and local authority will be enforced.
22. All children on the premises shall be supervised at all times by a responsible adult over 18 years of age and will not be allowed in areas adjacent to the bar counter.
23. No children under the age of 18 will be present when any form of striptease is performed.
24. The licensable activities authorised by this licence will be confined to the areas that are shaded in **PINK** on the plan deposited with and approved by the Licensing Authority. The areas marked 'terrace' on the plan shall not be used for the provision of regulated entertainment, entertainment facilities or late night refreshment.



Licensing Act 2003

# Premises Licence Summary

**PLWA0457**

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

#### Sidmouth Harbour Hotel

Manor Road, SIDMOUTH, EX10 8RU.

Telephone 01395 513252

### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- 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
E. Performance of live music (Indoors)	Monday to Wednesday & Sunday	7:15pm	9:15pm
	Thursday to Saturday	7:15pm	1:00am
	Non Standard Timings:	7:15pm	1:00am
	Applies to Valentines Day (Feburary 14).		
	Christmas Eve	7:15pm	2:00am
	New Year's Eve	7:15pm	2:00am
F. Playing of recorded music (Indoors)	Monday to Wednesday & Sunday	7:15pm	9:15pm
	Thursday to Saturday	7:15pm	1:00am
	Non Standard Timings:	7:15pm	1:00am
	Applies to Valentines Day (Feburary 14).		
	Christmas Eve	7:15pm	2:00am
	New Year's Eve	7:15pm	2:00am
G. Performance of dance (Indoors)	Thursday to Saturday	7:15pm	1:00am
	Christmas Eve	7:15pm	2:00am
	New Year's Eve	7:15pm	2:00am
	Non Standard Timings:	7:15pm	1:00am



# Licensing Act 2003 Premises Licence Summary

## PLWA0457

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

Activity (and Area if applicable)	Description	Time From	Time To
<b>G. Performance of dance (Indoors) continued ...</b>			
	Applies to Valentines Day (February 14).		
<b>I. Late night refreshment (Indoors)</b>			
	Thursday to Saturday	11:00pm	1:00am
	Christmas Eve	11:00pm	2:00am
	New Year's Eve	11:00pm	2:00am
<b>J. Supply of alcohol for consumption ON and OFF the premises</b>			
	Monday to Wednesday & Sunday	11:00am	11:00pm
	Thursday to Saturday	11:00am	12:30am
	Christmas Eve	11:00am	1:30am
	New Year's Eve	11:00am	1:30am
	Non Standard Timings:	11:00am	1:00am
	Applies to Valentines Day (February 14).		

### THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Wednesday & Sunday	7:00am	11:30pm
Thursday to Saturday	7:00am	1:30am
Christmas Eve	7:00am	2:30am
New Year's Eve	7:00am	2:30am
Non Standard Timings:	7:00am	1:30am
Applies to Valentines Day (February 14).		

### 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

Westcliff Hall (Sidmouth) Ltd	First Floor, 10/11 Lower John Street, London, W1F 9EB.
-------------------------------	--

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

Westcliff Hall (Sidmouth) Ltd	406990
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### NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Kenneth CUMMING
-----------------

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

Not applicable
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Licensing Act 2003

# Premises Licence Summary

**PLWA0457**



Henry Gordon Lennox

Strategic Lead - Legal, Licensing and Democratic Services



# REPRESENTATIONS LIST

APPENDIX D

**Application No:** 043528

**Application Date:** 17 February 2017

**Licence Type:** Premises Licence WITH Alcohol

**Licence No:** N/A

**Application Type:** New Application

---

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

---

**Applicant:** Westcliff Hall (Sidmouth) Ltd  
First Floor, 10/11 Lower John Street, London, W1F 9EB.

---

**Person making Representation:** Ian Hazlehurst  
Pilgrim Cottage, Peak Hill Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** 24/02/17  
Further to our telephone conversation today, I would repeat my concern about this revised Application. My primary issue relates to late night noise levels. Whilst the Applicants have modified their earlier licensing proposal, they have altered and enlarged the bar area such that it is closer to Peak Hill Rd, and the impact of noise will be that much greater than prior to the hotel extension. I would ask that the Committee takes this into consideration when evaluating the proposal .

05/03/17  
Further to our telephone conversation last week when you explained to me the meaning of an 'Official Representation, I would confirm that I wish the content of my letter to you of 24th February be treated as an Official Representation against the Licensing Application from the Sidmouth Harbour Hotel.

**Evidence:**

**Suggestion:**

---



**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** Julia Creeke  
Connaught House, Peak Hill Road, SIDMOUTH, Devon, EX10 8RZ.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Ref. No 043528 Premises

Application for a license extension for the Sidmouth Harbour Hotel, Manor Road Sidmouth EX10 8RU.

This request for an extension until 1.00 a.m. is totally unwarranted. The Victoria have a license until midnight and have dancing in their Ballroom until that time. I have to put up with the constant thud, thud from the amplified music for many years because I realise people like to enjoy themselves. But they fortunately cease at midnight and don't bring the music outside.

The Sidmouth Harbour Hotel, have on the other hand made it very clear that they want to be the area's leading wedding venue. Having built a very large terrace with adjacent swimming pool it is impossible to imagine that guests will in summer not come outside leaving doors open and thus be followed by blaring music, because no young people can now enjoy them selves without being accompanied by heavily amplified music. At night noise carries and this thudding amplified base travels huge distances to disturb and annoy others who are in bed and trying to sleep.

It is only a short step with a 1.00 a.m. license for the swimming pool to be utilised with much noisy shouting. At least if the license is kept to a reasonable hour people in the surrounding area may be allowed at least a reasonable night's sleep. In any case the granting of a license in this instance should be confined to the consumption of alcohol in side after 11.00 p.m. and the license itself should be limited to midnight.

Not only can I hear the music from the Victoria Hotel quite clearly, even with the Ballroom windows shut, but I can also hear the Town Band playing in Connaught Gardens in a far more sheltered and screened location, than the Harbour Hotel which is high up with no screening and with no trees to break up the sound. I instance this to show how sound carries particularly after dark.

For the above reasons this application should be rejected. There are far too many others living or staying in the vicinity to warrant nighttime disturbance.

**Evidence:**

**Suggestion:**

---

**Person making Representation:** F Storer  
4 The Redlands, Manor Road, SIDMOUTH, Devon, EX10 8RT.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Re Sidmouth Harbour Hotel, Manor Rd, Sidmouth, EX10 8RU  
Premises Licence Application No.043528

I wish to state our objection to the above application. If granted it would allow alcohol to be served to non-residents until 1-0am, 7 days a week anywhere 'on the premises' including terraces or in the grounds. "Drinking up" time could mean people noises, car door slamming and engine noise into the early hours. This is not appropriate for this area of Sidmouth in my opinion.

**Evidence:**

**Suggestion:**

---

**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** A W Littley  
17 The Redlands, Manor Road, SIDMOUTH, Devon, EX10 8RT.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Application for premises licence Harbour Hotel Sidmouth 043528

I wish to make representations about the above application which in its amended form is still not acceptable in the context of Sidmouth and the residential area bordering the hotel. Live music at any time after midnight is unnecessary and would, without doubt, be heard well away from the hotel, particularly on warm evenings when windows and doors would no doubt be open.

My objection also extends to the application for alcohol to be served to non residents until 1 AM seven days a week. I understand that on the premises would include drinking outside on the terraces or in the grounds which, bearing in mind the considerable noise that would generate, augmented by live music at times, would be totally, unacceptable.

**Evidence:**

**Suggestion:**

---

**Person making Representation:** V Thomas  
9 The Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Application for premises licence - Harbour Hotel, Manor Road, Sidmouth

With regard to the above application, I would like to put on record my strong objection to the requests for permission to play music and drink till late hours every day of the week.

Surely some consideration should be given to local residential neighbours (we are immediately next door) to the beautiful peaceful area people like to walk, i.e. Connaught Gardens. In the summer from end May till September the town band plays every Sunday night from 7:30 PM till about 9:15 PM. What a dreadful cacophony that would be if the hotel music was heard through open windows and doors. I would suggest they align with hotels such as the Victoria and the Belmont.

To take the music within the building, I would accept 11 PM on weekdays and midnight on Saturday and Sunday. As for the alcohol hours - again midnight should be adequate outside on the terraces we do not wish to have inebriated guests wondering the road in complete darkness. The noise factor could be an unwelcome serious nuisance and it is hoped the hotel can amend its requests.

**Evidence:**

**Suggestion:**

---

**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** Doreen Bishop  
15 The Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** RE Sidmouth harbour licensing application  
As a resident at the Redlands next door to the Sidmouth Harbour Hotel, I am very concerned to read the application to allow drinking on the premises (in particular the Terrace) until 1:30 AM. Also there is an application for live music until 1 AM on Saturdays and Sundays. I do feel this is far too late for possible loud music and would spoil the ambience of this area.

The people of Sidmouth are rightly proud of our beautiful town and all those I have spoken to feel this is a step too far. In addition to the noise from drinking until early morning there will then be the noise from cars being driven out of the car park, which could go on for a further hour. I hope you will take my objections into account when deciding the outcome of the application I see fit to refuse it. Please keep our beautiful Sidmouth.  
Thank you

**Evidence:**

**Suggestion:**

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**Person making Representation:** W G Mercer  
5 Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Reference 043528  
I refer to the most recent application submitted for the Harbour Hotel, Sidmouth. It is requested that you limit the times for the sale of drink to non-residents, to the periods enjoyed by other licensed premises in Sidmouth, thus limiting noise very late at night in a residential area.

**Evidence:**

**Suggestion:**

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**Person making Representation:** Mary Buckley  
3 The Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** RE Sidmouth Harbour Hotel Manor Road EX10 8RU  
Premises licence application no: 043528

I write to object to the harbour hotel applying for this application. If granted it would allow alcohol to be served to non-residents until 1 AM 7 days a week anywhere 'on the premises' including terraces or 'in the grounds'. Drinking up time could mean people noises, car door slamming and engine noise into the early hours.

Manor Road is a very select residential road. The Redlands has several very old residents, myself included.

**Evidence:**

**Suggestion:**

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**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** Margaret Summerscales  
14 The Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** I write again with regard to the Harbour Hotel Licensing Application ref.043528.

This application has been amended but shows no concern already raised by local residents following the first application namely to allow alcoholic drinks to be served to non residents on the premises until 1am, 7 days a week which would mean in effect that drinking could continue until 1.30am. "On the premises" would include drinking outside on the terraces which have been extended round the far end, and in the grounds. The extent of this application, especially the lateness seems to be excessive. Noise carries on the quiet evening air especially when people have been drinking. I do want people to enjoy their holiday in Sidmouth but not to the detriment of us residents who live close by and who live here all year round.

Also the application for live and recorded music until 11pm weekdays and more so until 1am on Saturdays and Sundays until 1am does seem excessive too.

**Evidence:**

**Suggestion:**

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**Person making Representation:** Richard Gibbs  
12 The Redlands, Manor Road, SIDMOUTH, Devon, EX10 8RT.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Application reference 043528

I wish to make representations about the above licensing application by the Harbour Hotel.

In particular, I am very concerned about the application for a licence to serve alcohol to non-residents on the premises as late as 1am. This in my view is far too late.

If the application were granted, it would mean that non-residents could consume alcohol until around 1.30 every morning, both in the building itself, and in the grounds. This would be extremely intrusive to occupants of neighbouring properties, especially in the summer months.

The Redlands where I live, for example, an adjacent property, consists of 20 individual flats, owner-occupied by residents, mainly retired people. Their lives would be seriously disrupted and much distress caused. These residents, and others in the immediate area, are significant contributors to the local economy as regular patrons of local hotels and shops. They, and other local residents, are happy that hotels, including the Harbour Hotel, should be successful; but, I believe, are totally opposed to an enlargement of licensing hours which could cause damage to the character of the area.

I invite you to reject the application for licensing hours as late as 1 am; and instead restrict service of alcohol to non-residents so as to finish at 11pm.

Sir Richard Gibbs  
Chairman, The Redlands Management Company (Sidmouth) Limited

**Evidence:**

**Suggestion:**

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**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** D Smith  
1 The Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Application reference 043528

This is to advise you that we object to the above as this would allow, if approved, for alcohol to be served to any member of the public up until 1 a.m. on 7 days a week!

A more suitable time would be 11.p.m.

ON THE PREMISES means that drinking would not cease until at least 1.30 a.m. Many very elderly people live in the vicinity of this hotel and would find that their sleep might be disturbed by drinkers outside on the terraces or in the grounds.

**Evidence:**

**Suggestion:**

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**Person making Representation:** J Smith  
1 The Redlands, Manor Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** Dear Sir,  
Application reference 043528

This is to advise you that we object to the above as this would allow, if approved, for alcohol to be served to any member of the public up until 1 a.m. on 7 days a week!

A more suitable time would be 11.p.m.

ON THE PREMISES means that drinking would not cease until at least 1.30 a.m. Many very elderly people live in the vicinity of this hotel and would find that their sleep might be disturbed by drinkers outside on the terraces or in the grounds.

**Evidence:**

**Suggestion:**

---

**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** Michael Page  
Clifton Cottage, Peak Hill Road, SIDMOUTH, Devon, EX10 8RZ.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** This email is sent as a representation in respect of the captioned application. We live in Clifton Cottage, directly opposite the Sidmouth Harbour Hotel across Peak Hill Road.

The hotel is situated in a quiet residential area of protected townscape on the west side of Sidmouth. Traditionally it has been a quiet holiday hotel.

The new operator of the hotel has refurbished and extended the premises, especially the function room, bar and dining room; has installed a spa and constructed a large and elevated terrace/dining /swimming pool/sun lounging area on the south and east sides of the hotel onto which the public function room, bar, dining room and spa give access through floor to ceiling double doors. The hotel is now promoting itself as a venue to a younger non-resident clientele, including for weddings and other functions.

We can clearly hear from inside our house live music from the parties. When we phoned on 4th March to ask for the noise to be reduced we were told by the receptionist that "I can't do anything because it is a wedding and anyway we have a licence to play live music in and around the hotel until midnight"; from our garden we can hear the detail of conversations on the terrace, although we wish we could not.

The present application would permit the use of the hotel as a large scale "round the clock" wedding, party and music venue. We believe that such a licence would far exceed what is reasonably required commercially to support the hotel and is inappropriate. Such a licence would be very much more permissive than long established licences granted to other local hotels including the Victoria and the Belmont.

There is a great risk of loud music and noisy parties severely affecting our amenity and that of the area in general and creating a serious public nuisance.

In our opinion, the precautions offered by the hotel to prevent a public nuisance are tautologous and too vague to be effective: "At all time (sic) the level of regulated entertainment taking place at the hotel is and will be strictly controlled to prevent any public nuisance".

We would ask the Committee to give full weight to these considerations and we suggest that it should:

- \*restrict more narrowly the hours for live and amplified music not to exceed existing comparable neighbouring licences
- \*set the latest time for serving alcohol to non-residents to coincide with the latest times for live/amplified music
- \*require that no external speakers be used in any circumstances;
- \*require that no doors or windows may be open when live or amplified music is being played.
- \*require that no music shall be audible beyond the boundaries of the site
- \* restrict maximum numbers appropriately.

**Evidence:**

**Suggestion:**

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**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** Sheila Page  
Clifton Cottage, Peak Hill Road, SIDMOUTH, Devon, EX10 8RZ.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** This email is sent as a representation in respect of the captioned application. We live in Clifton Cottage, directly opposite the Sidmouth Harbour Hotel across Peak Hill Road.

The hotel is situated in a quiet residential area of protected townscape on the west side of Sidmouth. Traditionally it has been a quiet holiday hotel.

The new operator of the hotel has refurbished and extended the premises, especially the function room, bar and dining room; has installed a spa and constructed a large and elevated terrace/dining /swimming pool/sun lounging area on the south and east sides of the hotel onto which the public function room, bar, dining room and spa give access through floor to ceiling double doors. The hotel is now promoting itself as a venue to a younger non-resident clientele, including for weddings and other functions.

We can clearly hear from inside our house live music from the parties. When we phoned on 4th March to ask for the noise to be reduced we were told by the receptionist that "I can't do anything because it is a wedding and anyway we have a licence to play live music in and around the hotel until midnight"; from our garden we can hear the detail of conversations on the terrace, although we wish we could not.

The present application would permit the use of the hotel as a large scale "round the clock" wedding, party and music venue. We believe that such a licence would far exceed what is reasonably required commercially to support the hotel and is inappropriate. Such a licence would be very much more permissive than long established licences granted to other local hotels including the Victoria and the Belmont.

There is a great risk of loud music and noisy parties severely affecting our amenity and that of the area in general and creating a serious public nuisance.

In our opinion, the precautions offered by the hotel to prevent a public nuisance are tautologous and too vague to be effective: "At all time (sic) the level of regulated entertainment taking place at the hotel is and will be strictly controlled to prevent any public nuisance".

We would ask the Committee to give full weight to these considerations and we suggest that it should:

- \*restrict more narrowly the hours for live and amplified music not to exceed existing comparable neighbouring licences
- \*set the latest time for serving alcohol to non-residents to coincide with the latest times for live/amplified music
- \*require that no external speakers be used in any circumstances;
- \*require that no doors or windows may be open when live or amplified music is being played.
- \*require that no music shall be audible beyond the boundaries of the site
- \* restrict maximum numbers appropriately.

**Evidence:**

**Suggestion:**

---

**Application No:** 043528

**Premises:** Sidmouth Harbour Hotel  
Manor Road, SIDMOUTH, EX10 8RU.

**Person making Representation:** Lesley Brend  
The Beacon, Peak Hill Road, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** I have concerns about the Harbour Hotel's request for extended music hours.

I live directly opposite the hotel and know from last summer that the music - albeit indoors - carries a long way, particularly when wedding guests open the doors and spill out on to the Harbour terrace, which of course they will want to do. Sleep was never an option until the music stopped. In moderation, that's fine - nobody begrudges anyone a happy, joyous wedding day on a Saturday if the music finishes at a reasonable hour.

However, the current application to increase the music licencing hours seven days a week raises the alarming prospect of Rolling Stones tracks or live bands blaring out at midnight before a school/work day. That's not acceptable when local residents have to be up at 6.30am to go to work and school. Also, the music is at its loudest in the summer when the doors are opened - when children, including mine, have major exams.

If we're talking a bit of gentle tinkling on the piano or background lounge music, fine. Anything more than that during the working week (or unreasonably late in the weekend) would seriously blight the lives of local residents who have, ironically, chosen to live in that area for its peace and quiet.

Please contact me if you have any questions or, indeed, would like to visit my home to hear for yourselves how loud the music is from the Harbour.

Thank you.

**Evidence:**

**Suggestion:**

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**Person making Representation:** Pat Kettle  
8 The Redlands, SIDMOUTH, Devon.

**Representation Accepted:** Representation has been accepted

**Reason:** N/A

**Details:** 12/03/17  
As a resident of the flats at the Redlands (next to the harbour hotel) I object strongly to their application for licensing hours and also to their application for live and recorded music.  
Gone, sadly are the days when it was a pleasure to have the Westcliff hotel next door! There seems to be no end to their extensions and requests.

16/03/17  
With reference to my phone call from you this morning concerning my letter of 12th March, I wish to state that I think that an extension of licensing hours the harbour hotel will have an affect on people living at the Redlands next door (of which I am one) namely noise and music etc.  
I hope this clarifies my objection and that it will be given consideration.

**Evidence:**

**Suggestion:**

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Sidmouth Harbour Hotel – Responses to Notice of Hearing

Applicant

<b>Nicholas James Hotels Ltd trading as Harbour Hotels Ltd</b>	
<b>Hearing Unnecessary</b>	N/A
<b>Attending</b>	Yes + Simon Maguire – head of operations for Harbour Hotels.
<b>Supporting documents</b>	None
<b>Summary of key points</b>	None

Interested Parties

<b>1.</b>	<b>Mrs Sheila Page, Clifton Cottage, Peak Hill, Sidmouth, EX10 8RZ</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	Yes
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<u>Prevention of public nuisance</u> – The environment Protection Act 1997 provides that the noise level in a residential area should not exceed 45dba before 10pm and 35dba after 10pm. These should be a requirement for the hotel site. See also original representation (Appendix D)

<b>2.</b>	<b>Mr Michael Page, Clifton Cottage, Peak Hill, Sidmouth, EX10 8RZ</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	Yes
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<u>Prevention of public nuisance</u> – 1. Please refer to my email dated 16 <sup>th</sup> March 2017 (original representation) (Appendix D) 2. Statutory noise limits for residential areas should be operated at all times. 3. Electronic noise limiters should be installed and in operation at all times when music/singing being played.

<b>3.</b>	<b>Ms Lesley Brend, The Beacon, Peak Hill, Sidmouth, EX10 8RZ</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	Yes
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<u>Prevention of public nuisance</u> – I and my children cannot sleep until the music stops because it is so loud. This is unacceptable during the working/school week – and should finish at a reasonable hour on Fridays and Saturdays – See email already sent (original representation) (Appendix D)

<b>4.</b>	<b>Ms Margaret Summerscales, 14 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	Yes
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<p><u>Prevention of Crime and Disorder</u> - late night drinking so often in the cause of crime and disorder and we do not want Sidmouth to become one of these towns.</p> <p><u>Prevention of public nuisance</u> –noise from the extended outside terraces with doors opening from the dining and drinking areas would cause a public nuisance over the summer months, especially if the licensing hours are increased.</p>
<b>Other Comments</b>	I would also like to draw attention to the alcohol licensing hours are granted to both the Belmont and Victoria hotels nearby, which are both old established Sidmouth hotels. (Copies are enclosed with Sir Richard Gibbs reply) other points have been raised too in Sir Richard Gibbs returned letter which I would like to be taken into account. - Margaret Summerscales

<b>5.</b>	<b>Sir Richard Gibbs, 12 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No Represented by: Anthea Millett
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<p>Yes</p> <p><u>Prevention of public nuisance</u> – Please see my original letter in response (original representation) (Appendix D)</p> <p>I wish to add the following.</p> <p>In my experience Sidmouth is a place where people of all ages come to enjoy a seaside break or holiday, knowing that it is safe, and that having had fun during the day, they can have peace at night. If visitors' alcohol consumption is permitted until well after lam each night (including drinking up time) at a big hotel like the Harbour, it will become a magnet for late night drinkers, especially in summer. This is liable to give rise to nuisance – including shouting, noisy cars etc. In time, that will not only cause upset to nearby residents, but reduce the attractiveness of Sidmouth to visitors. There are precedents for this happening elsewhere. The reputation of a town is hard won and easily lost.</p> <p>Alcohol licensing hours until 11pm are quite sufficient to cater for visitors. But, whatever view the sub-committee takes, it would be quite wrong to grant the applicant hours which extend beyond those of the nearby Victoria and Belmont Hotels.</p> <p><u>Prevention of Crime and Disorder</u> -</p> <p>I am sure that crime and disorder are the last things the hotel wants to encourage; but the risk would be that late night drinking could indirectly lead to them. One only has to see what happened when entry to the nearby Manor Road car park used to be left open all night. Thankfully sensible action by the EDCC has</p>

	virtually eliminated that problem. In response to these points, it may be said that the hotel will not encourage late night drinking, which will not therefore become a regular occurrence. This does however depend on management policy at the time, and once a licence is granted, this can change overnight.
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<b>6.</b>	<b>Mrs June Smith, 1 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No Response
<b>Attending</b>	No Represented by: Anthea Millett
<b>Supporting documents</b>	None
<b>Summary of key points</b>	No

<b>7.</b>	<b>Mr Derek Smith, 1 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No Response
<b>Attending</b>	No Represented by: Anthea Millett
<b>Supporting documents</b>	None
<b>Summary of key points</b>	No

<b>8.</b>	<b>Ms Mary AR Buckley, 3 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No Represented by: Anthea Millett
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<u>Prevention of Crime and Disorder</u> – Late night drinking can cause crime and disorder. The Redlands is next door & our driveway is open to entry. <u>Prevention of public nuisance</u> – Non-resident drinking until 1.0am could lead to ‘public nuisance’ in the form of groups of people shouting, car door slamming, engine noise, hooting. This is not acceptable in a quiet residential area. My bedroom is very near to the drive entrance.

<b>9.</b>	<b>Mrs Doreen Bishop, 15 The Redlands, Manor Road, Sidmouth</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No
<b>Supporting documents</b>	None
<b>Summary of key points</b>	Yes <u>Prevention of public nuisance</u> – I feel that the late night noise from departing customers will be unacceptable in the area, also the possible loud music late at night, so close to a residential area.

<b>10.</b>	<b>Ms Vivien Thomas, 9 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No Response
<b>Attending</b>	No
<b>Supporting documents</b>	none
<b>Summary of key points</b>	<u>Prevention of public nuisance</u> – The noise of music till the late hours, and the slamming of car doors in the early hours and the noise of exuberant guests would be disturbing. As regards the alcohol, inside the building till 12.0 midnight is surely enough. Outside should be curtailed at 11:00 pm.

<b>11.</b>	<b>Mrs P Kettle, 8 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No Response
<b>Attending</b>	No
<b>Supporting documents</b>	None
<b>Summary of key points</b>	Yes <u>Prevention of public nuisance</u> – I live in neighbouring flats to the Harbour Hotel and do not wish to be worried by late night revelry as do most people living here.

<b>12.</b>	<b>Mr A Littley, 17 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No Response
<b>Attending</b>	No
<b>Supporting documents</b>	None
<b>Summary of key points</b>	Yes <u>Prevention of public nuisance</u> – The following would be unacceptable after midnight as a regular feature bearing in mind the situation of the hotel. 1) Live and recorded music. 2) Serving alcohol to non-residents particularly if on an outside patio. 3) Noise resulting from car park use.

<b>13.</b>	<b>D G Mercer, 5 Redlands, Manor Road, Sidmouth,</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No
<b>Supporting documents</b>	None
<b>Summary of key points</b>	NA

<b>14.</b>	<b>Mr Frank Storer, 4 The Redlands, Manor Road, Sidmouth, EX10 8RT</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<u>Prevention of Crime and Disorder</u> – Late night drinking often activate petty crime and disorder. This has recently been overcome in the area by the early closure of Manor Rd car park arranged by EDDC.

	<u>Prevention of public nuisance</u> – Non-resident drinking until 1.0am could lead to ‘public nuisance’ in the form of people shouting, car door slamming and engine noise. This is not acceptable in a quiet residential area with Redlands next door with elderly owner occupiers.
<b>Other Comments</b>	The two areas above have the potential to damage the image of Sidmouth as a safe and respectful area for visitors.

<b>15.</b>	<b>Ms Julia Creeke, Connaught House, Peak Hill Road, Sidmouth, EX10 8RZ</b>	
<b>Hearing Unnecessary</b>	No	
<b>Attending</b>	No I regret that I cannot be present in person at the hearing due to another long standing commitment.	
<b>Supporting documents</b>	None	
<b>Summary of key points</b>	None	

<b>16.</b>	<b>Mr Ian Hazlehurst, Pilgrim Cottage, Peak Hill Road, Sidmouth, EX10 8RZ</b>	
<b>Hearing Unnecessary</b>	No Response	
<b>Attending</b>	No Response	
<b>Supporting documents</b>	None	
<b>Summary of key points</b>	None	

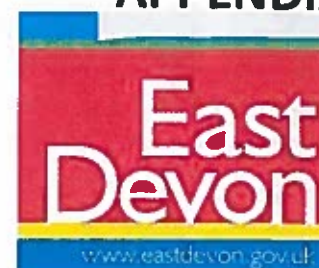
1. The hotel provides accommodation and entertainment for all residents and non-resident guests and ensure that the service provided is in line with the licensable activities of East Devon District Council.
2. The hotel constantly review its policies to ensure for the safety of all patrons at all times and continue to promote the four licensing objectives as listed below.
3. CCTV will be installed operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police. Images will be retained for a minimum of 14 days copies of which will be supplied to the Licensing authority or Police upon request.
4. The CCTV system must be operational at all times whilst the premises are trading. If the system is faulty or not working then the Police and East Devon Licensing Service must be informed immediately. Details of the malfunction must be recorded in the premises incident book.
5. A4 sized warning notices must be displayed in public areas of the premises and at all entrances advising that CCTV is in operation. The signs located at entrances should be located on the on the exterior of the building at and adjacent to, all public access doors. All signs must comply with the requirement of the Data Protection Act 2002. If the system fails or is not working then the police shall be informed immediately. Details of any malfunction will be recorded in the premises incident book.
6. An incident book will be maintained with full details of all occurrences of disorder and refused alcohol sales at the premises will be recorded. The incident books will be kept on the premises at all times and will be made available for inspection by the police.
7. No persons carrying open or sealed bottles or glasses will be admitted to the premises at any time.
8. No customers will be permitted to take open containers of alcoholic from the premises.
9. SIA security staff shall be employed at the premises at the discretion of the Designated Premises Supervisor/Holder of the Premises Licence in accordance with their assessment of risk for events at the premises. A written risk assessment shall be prepared. The risk assessment shall be made available for inspection by the authorities on demand.
10. The premises will operate a Challenge 21 policy. The only acceptable forms of ID will be Passport, Photo Driving Licence and government approved PASS card.
11. The hotel strictly control the number of people admitted to the property at any one time to ensure that there is no risk to guests or members of the public.

12. All staff employed in the sale of alcohol are fully trained and aware of the legal obligation and their responsibilities regarding the sale of alcohol.
13. Irresponsible drinks promotions are 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.
14. All staff have received appropriate training about emergency and general safety precautions and procedures.
15. Free drinking water is available at all times the premises is open to the public.
16. Telephone numbers of local taxi operators are prominently displayed at the premises for the benefit of customers.
17. All bottles and glasses and rubbish shall be removed from public areas on a regular and frequent basis.
18. The electrical system at the premises, including portable appliances are inspected and tested annually by a competent person and a satisfactory safety report obtained. A competent person will be a suitably qualified electrician who is registered with the ECA or NICEIC.
19. The gas system, including appliances, is inspected annually and tested by a Gas Safe Registered engineer and a satisfactory Gas Safety Certificate must be obtained.
20. All safety certificates and inspection reports are kept on site and will be made available for inspection by officers of relevant statutory bodies.
21. The fire safety measures provided on the premises are maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with the Regulatory Reform (Fire Safety) Order 2005.
22. Adequate and supply of first aid equipment and materials is available on the premises.
23. The Sidmouth Harbour hotel has always provided for the prevention of public nuisance and in doing so provide night patrols of the property ensuring the orderly conduct of patrons leaving the premises.
24. At all time the level of regulated entertainment taking place at the hotel is and will be strictly controlled to prevent any public nuisance-must control the volume of regulated entertainment taking place at the premises shall be controlled at all times.
25. There shall be no music or speech permitted to be played by external speakers without written consent.

26. Suitable signage shall be displayed in the garden areas requesting patrons to respect the amenities of local residents.
27. Where outside areas are provided for the use of patrons facilities for the disposing and collecting of litter will be maintained.
28. Where drinks are going to be consumed in outdoor areas, they shall be served in plastic glasses.
29. All bar staff are fully trained to ensure no underage consumption of alcohol takes place on the property and proof of age is requested at all times where age is in doubt.
30. Drinks will be served in recreational areas in plastic glasses.
31. A proof of age policy agreed in writing by us must be enforced.
32. Only plastic glasses or bottles will be permitted in children's play areas, and recreational areas, or in any area where customers are required to remove footwear.



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



## Licensing Act 2003 Premises Licence

# PLWA0436

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, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

### Victoria Hotel

The Esplanade, SIDMOUTH, Devon, EX10 8RY.

Telephone 01395 512651

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- 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
E. Performance of live music (Indoors)	Monday to Wednesday	7:00pm	10:00pm
	Thursday to Saturday	7:00pm	Midnight
	Sunday	7:00pm	11:30pm
	New Year's Eve	7:00pm	1:00am
F. Playing of recorded music (Indoors)	Monday to Saturday	7:00pm	Midnight
	Sunday	7:00pm	11:30pm
	New Year's Eve	7:00pm	1:00am
J. Supply of alcohol for consumption ON the premises only	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	New Year's Eve-Except Sundays	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.		
	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.			



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



Licensing Act 2003

# Premises Licence

# PLWA0436

## THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Saturday	8:00am	Midnight
Sunday	8:00am	11:30pm
New Year's Eve	8:00am	Midnight

And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

- J. Supply of alcohol for consumption ON the premises only



Licensing Act 2003  
**Premises Licence**

**PLWA0393**

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, ORDANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Belmont Hotel**

The Esplanade, SIDMOUTH, Devon, EX10 8RX.

Telephone 01395 512555

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- 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
E. Performance of live music (Indoors)	Monday & Tuesday	6:30pm	10:00pm
	Wednesday	6:30pm	11:00pm
	Thursday to Saturday	6:30pm	Midnight
	Sunday	6:30pm	11:30pm
	New Year's Eve	6:30pm	1:00am
F. Playing of recorded music (Indoors)	Monday to Saturday	6:30pm	Midnight
	Sunday	6:30pm	11:30pm
	New Year's Eve	6:30pm	1:00am
J. Supply of alcohol for consumption ON the premises only	Monday to Saturday	10:00am	Midnight
	Sunday	Noon	11:30pm
	New Year's Eve-Except Sundays	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.		
	New Year's Eve-On a Sunday	Noon	Midnight
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Licensing Act 2003  
**Premises Licence**

**PLWA0393**

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Saturday	8:00am	Midnight
Sunday	8:00am	11:30pm
New Year's Eve	8:00am	Midnight
And from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		

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

- J. Supply of alcohol for consumption ON the premises only



