

Agenda for Licensing & Enforcement Sub Committee

Wednesday, 22 August 2018; 10.30am
(Or upon the rising of the main Committee)



East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL
DX 48705 Sidmouth
Tel: 01395 516551
Fax: 01395 517507
www.eastdevon.gov.uk

[Members of the Committee](#)

Members of the Sub Committee will be Councillors:
Steve Hall, John O'Leary and Colin Brown

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

[View directions](#)

Contact: [Chris Lane](#), 01395 571544 (or group number 01395 517546): Issued 14 August 2018

- 1 Minutes for 8 August 2018 (Pages 2-6)
- 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 **To consider an application for the grant of a premises licence – To allow live and recorded music, performance of dance and the sale of alcohol on and off the premises at Budleigh Cricket Club, Ottermouth Ground, Granary Lane, Budleigh Salterton, EX9 6HA**
(pages 7-106).
- 7 **Certification of Film to be shown at Exmouth Savoy Cinema**
(pages 107-110).

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](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Licensing & Enforcement Sub-Committee held at Knowle, Sidmouth on Wednesday, 8 August 2018

Present: Councillors:
Steve Hall (Chairman)
John O'Leary (Vice Chairman)

Officers: Neil McDonald – Licensing Officer
Chris Lane – Democratic Services Officer

The meeting started at 9.05 am and ended at 9.15 am.

- *16 Minutes
The minutes of the meeting of the Licensing and Enforcement Sub-Committee held on 18 July 2018, were confirmed and signed as a true record.
- *17 Declarations of interest
Councillor John O'Leary
Minutes *18,*19, *20, *21 & *22
Disclosable Pecuniary Interest – Designated Premises Supervisor.
- *18 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary
The Sub Committee gave consideration to an application for a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Beer Head Bistro, Beer Head Caravan Park, Beer, EX12 3AH

Agreed position reached by the parties:

Following mediation the applicant, Devon and Cornwall Constabulary had agreed that they considered a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. An incident book must be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book must be kept on the premises at all times and must be made available for inspection by officers of both the Licensing Authority and the Police.
2. Training records will be retained for at least 112 months and made available for inspection by officers of both the Licensing Authority and Police.
3. The licence holder must ensure that all staff receive appropriate training regarding emergency and general safety precautions and procedures.
4. The licence holder must ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.

*19 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary

The Sub Committee gave consideration to an application for a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Foot Golf on the Exe, Exton, EX3 0PJ.

Agreed position reached by the parties:

Following mediation the applicant, Devon and Cornwall Constabulary had agreed that they considered a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. No spirits or spirit mixtures will be sold at the premises.

- *20 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary
The Sub Committee gave consideration to an application for a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Otter Valley Dairy, Monkton, Honiton, EX14 9QN.

Agreed position reached by the parties:

Following mediation the applicant and Devon & Cornwall Police had agreed that they considered a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. CCTV images must be retained for a minimum of 21 days and be produced on the request of the police or EDDC (recording media must be set to 25 frames per second).

- *21 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary
The Sub Committee gave consideration to an application for a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

The Retreat Stores, The Arch, Woodbury, EX5 1LL.

Agreed position reached by the parties:

Following mediation the applicant and Devon & Cornwall Police had agreed that they considered a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. CCTV will be installed, operated and maintained to the satisfaction of the Licensing Authority and Chief Officer of Police.
2. Images will be retained for a minimum of 21 days copies of which will be supplied to the Licensing Authority or Police upon request.
3. The licence holder must ensure that all staff receive appropriate training regarding emergency and general safety precautions and procedures.
4. The licence holder must ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.
5. Training records will be retained for at least 12 months and made available for inspection by officers of both the Licensing Authority and the Police.
6. An incident book must be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book must be kept on the premises at all times and must be made available for inspection by officers of both the Licensing Authority and the Police.
7. The premises will adopt a challenge 25 policy. The only acceptable forms of ID will be Passport, Photo Driving Licence or Government Approved PASS Card.

*22 Schedule of application for Sub Committee approval where an agreed position has been reached and all parties have agreed a hearing is unnecessary

The Sub Committee gave consideration to an application for a grant of a premise licence where an agreed position had been reached and all parties had agreed that a hearing was unnecessary. The Sub Committee considered equality impacts when making their decision.

The Licensing Officer explained the background to the application and the negotiations that had been carried out.

RESOLVED that the application be granted as below, subject to the agreed position set out in the schedule and any relevant statutory conditions and the applicants having complied with the relevant statutory requirements.

Schedule:

Type of application:

Application for the grant of a premises licence

Name of premises and address:

Greendale Farm Shop, 44 Sidmouth Road, Exeter, EX5 2JU.

Agreed position reached by the parties:

Following mediation the applicant and Devon & Cornwall Police had agreed that they considered a hearing to be unnecessary if the agreed position set out below was approved.

The application be approved as submitted subject to the following amendment and conditions:

1. An incident book must be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises must be recorded. The incident book must be kept on the premises at all times and must be made available for inspection by officers of both the Licensing Authority and the Police.
2. Training records will be retained for at least 12 months and made available for inspection by officers of both the Licensing Authority and the Police.
3. Alcohol for consumption on the Premises must only be supplied with food purchased for consumption on the premises in the designated restaurant and patio areas.
4. Consumption of alcohol on the premises must only take place in the Licensable area.
5. All alcohol for consumption on the Premises to be decanted into glasses.

Chairman Date



Report to:	Licensing and Enforcement Sub Committee
Date of Meeting:	22 August 2018
Public Document:	Yes
Exemption:	None
Agenda item:	Item 6
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:	<p>Recommendation</p> <p>That members consider an application for the grant of a premises licence to allow – live and recorded music, performance of dance and the sale of alcohol on and off the premises at Budleigh Salterton Cricket Club, Ottermouth Ground, Granary Lane, Budleigh Salterton, Devon, EX9 6HA.</p>
Reason for recommendation:	To comply with statutory processes.
Officer:	Neil McDonald – nmcdonald@eastdevon.gov.uk 01395 517411
Financial implications:	The only financial implication is if the applicant appeals against the decision made, with the possibility of court costs.
Legal implications:	Legal implications are included within the report.
Equalities impact:	Low Impact
Risk:	Low Risk
Links to background information:	Appendices Appendix A – Table of proposed times and licensable activities Appendix B – Copy of licensing application Appendix C – Copy of existing Club Certificate – Budleigh Cricket Club Appendix D – Details of representations received Appendix E – Details of responses to the Notice of Hearing Appendix F – Details of agreed position – EHO & Residents Appendix G – Details of Operating Schedule Conditions 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 Budleigh Salterton Cricket Club Limited, Ottermouth Ground, Granary Lane, Budleigh Salterton, Devon, EX9 6HA for the grant of a premises licence at Budleigh Salterton Cricket Club, Ottermouth Ground, Granary Lane, Budleigh Salterton, Devon, EX9 6HA.
- 1.2 The proposed timings and licensable activities applied for are produced in table form at **Appendix A**.
- 1.3 A full copy of the application is reproduced at **Appendix B**.
- 1.4 The proposed premise to be licensed is the pavilion and the front patio area located in the Cricket Ground at Budleigh Salterton Cricket Club situated in Granary Lane, Budleigh Salterton. The pavilion incorporates a bar area, changing rooms and has a patio area to the front of the building enclosed by a picket fence. The premises are set in a coastal location on the outskirts of Budleigh Salterton town in a predominately residential area.
- 1.5 The premise has a current Club Premises Certificate number CPWA0101 and a copy has been reproduced at **Appendix C** for the information of the committee.
- 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
Representations received – Agreed position reached.
- 2.6 East Devon District Council, Planning & Countryside Service
No representations have been received.
- 2.7 Primary Care Trust
No representations have been received.
- 2.8 Home Office
No representations have been received.

3 Representations and Responses to Notices of Hearing

- 3.1 Representations have been received from forty one (41) local residents and from the Council's Environmental Health team. 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 A mediation meeting chaired by the Licensing Authority was held at the Budleigh Salterton Cricket Club Pavilion on Wednesday 8 August 2018 where the applicants agreed to Withdraw the application for live music outside the premises, no live or recorded music inside or outside the premises after 23:00 hrs, live music inside to be restricted to six one day events per annum within the restricted opening hours of the club between 1st April and 30th September (these events can only take place on a Friday or Saturday or a day proceeding a bank holiday with at least two weeks in between for respite), recorded music to be controlled by a noise limiter set to the satisfaction of an Environmental Health Officer, inside and outside the premises, alcohol sales to commence at 11:00hrs daily (instead of 08:00hrs) and a plan to be submitted by the applicant outlining the perimeter of the cricket field indicating this as the area for the consumption of alcohol only. As a result of the mediation twenty nine (30) of the local objectors and Environmental Health have come to an agreed position with the applicants. Details of the agreed amendments are attached at **Appendix F**.
- 4.2 Two of the objectors have responded to the notice of hearing indicating that they wish to attend the hearing to address the committee one of whom will also represent another objector but at the time of writing this report no other responses have been received.
- 4.3 The applicants will attend the hearing and will be represented by Mr Gregory Evans, director and chairman of the club and Ian Crook club treasurer.
- 4.4 The conditions offered by the applicants on their operating schedule have been reproduced at **Appendix G** 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 & outdoors
 - Recorded music – indoors & outdoors
 - Provision of dance – indoors & outdoors
 - Sale of alcohol on and off the premises
- 6.3 Budleigh Salterton Cricket Club currently have a Club Premises Certificate (CPWA0101 – details as **Appendix C**) that was issued in 2005 having been converted from the old Licensing Act 1964 to the current licensing regime. Like a number of other sports clubs within East Devon the club decided to change their licence to a full premises licence as they were finding it difficult to comply with the strict 'members and guests' restriction on the supply of alcohol.
- 6.4 Although applying for a premises licence the club seek to restrict full public access by the application of the following offered conditions – 'Budleigh Salterton Cricket Club will be run as a members Club and will comply with the rules of the club' and 'alcohol will be supplied to club members and to members of the public at the discretion of the committee'. The stated intention of the club is to still run as a members club as they have been doing for a number of years but to have the option to serve non-members without the need for a Temporary Event Notice particularly on match days.
- 6.5 Although forty one representations were received from local residents against the application the Licensing Authority also received twelve e-mails in support of the application from local residents and club members.
- 6.6 At mediation the club made significant concessions particularly in relation to concerns raised by residents of music noise, where alcohol was to be consumed and the earlier proposed start to alcohol sales hours (see **Appendix F**). As a result Environmental Health and thirty local residents came to an agreed position with the applicants and withdrew their representations.
- 6.7 Although no response has been received from a number of the outstanding objectors their original written representations will have to be considered by the committee.
- 6.8 The concerns expressed by the objectors relate to all four of the licensing objectives and their concerns are varied and covered in detail on their original representations (see **Appendix D**). Some of the main issues covered relate to music and people noise and the possibility that the more open and extended licence would turn the club into a pub or nightclub type venue. There

were concerns at the extra numbers of people that may be drawn to the club and the area resulting in extra traffic in Granary Lane causing noise and traffic danger to residents. Safeguarding concerns were also raised over youngsters and vulnerable adults attending the club as well as the possible increase in crime, disorder and disturbance to local residents.

6.9 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.

6.10 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 – not Required

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

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

6. Human Rights Act 1998

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

national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others". In Licensing Act cases this means, for example, that the sub-committee is entitled to impose conditions to ensure that patrons of licensed premises do not unreasonably disturb others living or working nearby. Again, the sub-committee should balance the competing interests.

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

7. Appeals

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

Proposed Timings

	Provision Of live music (indoors & Outdoors)	Playing of recorded music (indoors & Outdoors)	I) Provision of Dance (indoors & Outdoors)	J) Supply of Alcohol – On & off the premises	Hours premises are open to the public
Monday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am
Tuesday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am
Wednesday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am
Thursday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am
Friday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am
Saturday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am
Sunday	7:00pm – midnight	09:00am – midnight	7:00pm – midnight	8:00am – 00:30am	8:00am – 01:00am

Appendix B



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 21

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* Email

Main telephone number 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

Business name If your business is registered, use its registered name.

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

Legal status

Appendix B

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 21

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, OSmap reference or description of the premises?

Address OSmap 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 (£)

Appendix B

Section 3 of 21

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

Section 4 of 21

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)

Appendix B

Continued from previous page...

Address

Building number or name	<input type="text" value="Ottermouth Ground"/>
Street	<input type="text" value="Granary Lane"/>
District	<input type="text"/>
City or town	<input type="text" value="Budleigh Salterton"/>
County or administrative area	<input type="text" value="Devon"/>
Postcode	<input type="text" value="EX9 6JF"/>
Country	<input type="text" value="United Kingdom"/>

Contact Details

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text" value="[REDACTED]"/>
* Date of birth	<input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> / <input type="text" value="[REDACTED]"/> dd mm yyyy
* Nationality	<input type="text" value="British"/> Documents that demonstrate entitlement to work in the UK

Section 5 of 21

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.

Cricket Ground including a Pavilion incorporating Bar, Kitchen, changing rooms, showers and a patio area to the front which is enclosed with a picket fence

Appendix B

Continued from previous page...

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

Section 6 of 21

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

Yes No

Section 7 of 21

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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.

Appendix B

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="19:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both? Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

Indoors
 Outdoors
 Both

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.

PERFORMANCE OF LIVE MUSIC, AMPLIFIED
 Playing of recorded music

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.

No live music will be performed between 1st November and 31st March

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.

Appendix B

Continued from previous page...

Section 11 of 21

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded 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

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.

Playing of recorded music, amplified

Appendix B

Continued from previous page...

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.

No recorded music will be played between 31st October and 31st March

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 21

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

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

Appendix B

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

Indoors

Outdoors

Both

Where taking place in a building or other structure 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.

performance of dance

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.

Performance of dance will not take place between 31st October and 31st March

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.

Section 13 of 21

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

[See guidance on regulated entertainment](#)

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

Yes

No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Appendix B

Continued from previous page...

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

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 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.

Retail sale of alcohol will not take place between 31st October and 31st March

Appendix B

Continued from previous page...

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.

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

Name

First name

Family name

Date of birth / /
dd mm yyyy

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number
(if known)

Issuing licensing authority
(if known)

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

Appendix B

Continued from previous page...

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 21

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.

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour dock. (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

Appendix B

Continued from previous page...

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.

The club will not be open between 31st October and 31st March

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.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

Budleigh Salterton Cricket Club will be run as a members club and will comply with the rules of the club

Alcohol will be supplied to club members and to members of the public at the discretion of the committee

b) The prevention of crime and disorder

The club will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol. Training records will be retained for at least 12 months and will be made available for inspection by officers of both the Licensing Authority and the Police

c) Public safety

d) The prevention of public nuisance

An incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises will be recorded. The incident book will be kept on the premises at all times and will be made available for inspection by officers of both the Licensing Authority and the Police

Appendix B

Continued from previous page...

e) The protection of children from harm

The premises will adopt a Challenge 21 policy. The only acceptable forms of ID will be Passport, Photo driving licence or Government approved PASScard.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Appendix B

Continued from previous page...

Entitlement to work/Immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Appendix B

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Appendix B

Continued from previous page...

In terms of specific regulated entertainments please note that:

- **Plays:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Appendix B

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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 (£)

DECLARATION

[APPLICABLE TO INDIVIDUAL APPLICANTS ONLY, INCLUDING THOSE IN A PARTNERSHIP WHICH IS NOT A LIMITED LIABILITY PARTNERSHIP] I UNDERSTAND I AM NOT ENTITLED TO BE ISSUED WITH A LICENCE IF I DO NOT HAVE THE ENTITLEMENT TO LIVE AND WORK IN THE UK (OR IF I AM SUBJECT TO A CONDITION PREVENTING ME FROM DOING WORK RELATING TO THE CARRYING ON OF A LICENSABLE ACTIVITY) AND THAT MY LICENCE WILL BECOME INVALID IF I CEASE TO BE ENTITLED TO LIVE AND WORK IN THE UK (PLEASE READ GUIDANCE NOTE 15).

THE DPS NAMED IN THIS APPLICATION FORM IS ENTITLED TO WORK IN THE UK (AND IS NOT SUBJECT TO CONDITIONS PREVENTING HIM OR HER FROM DOING WORK RELATING TO A LICENSABLE ACTIVITY) AND I HAVE SEEN A COPY OF HIS OR HER PROOF OF ENTITLEMENT TO WORK, IF APPROPRIATE (PLEASE SEE NOTE 15).

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

Appendix B

Continued from previous page...

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 TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

OFFICE USE ONLY

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
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](#) [20](#) [21](#) Next >

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



Licensing Act 2003
Club Premises Certificate **CPWA0101**

East Devon District Council has granted this Club Premises Certificate in accordance with the Licensing Act 2003. The certificate 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.

Club Details

NAME OF CLUB IN WHOSE NAME THIS CERTIFICATE IS GRANTED AND RELEVANT POSTAL ADDRESS OF CLUB

Budleigh Salterton Cricket Club

Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Telephone 01395446269

IF DIFFERENT FROM ABOVE THE POSTAL ADDRESS OF CLUB PREMISES TO WHICH THE CERTIFICATE RELATES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Not applicable

WHERE THE CLUB PREMISES CERTIFICATE IS TIME LIMITED THE DATES

Not applicable

QUALIFYING CLUB ACTIVITIES AUTHORISED BY THE CERTIFICATE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol
- the sale by retail of alcohol

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors & Outdoors)	Friday & Saturday	7:00pm	Midnight
	Bank Holiday Mondays	7:00pm	Midnight
	Applies to Easter, May, Spring and August Bank Holiday Mondays.		
F. Playing of recorded music (Indoors & Outdoors)	Friday & Saturday	7:00pm	Midnight
	Bank Holiday Mondays	7:00pm	Midnight
	Applies to Easter, May, Spring and August Bank Holiday Mondays.		
G. Performance of dance (Indoors & Outdoors)	Friday & Saturday	7:00pm	Midnight
	Bank Holiday Mondays	7:00pm	Midnight
	Applies to Easter, May, Spring and August Bank Holiday Mondays.		





**Licensing Act 2003
 Club Premises Certificate**

CPWA0101

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H.	Entertainment of a similar description to that falling within E, F, or G (Outdoors) Monday to Sunday	10:00am	7:30pm
I.	The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON the premises only Monday to Sunday	11:00am	Midnight
J.	The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place Monday to Sunday	11:00am	Midnight

THE OPENING HOURS OF THE CLUB

Description	Time From	Time To

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

- I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON the premises only
- J. The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place

Henry Gordon Lennox
 Henry Gordon Lennox

Strategic Lead - Legal, Licensing and Democratic Services



Licensing Act 2003
Club Premises Certificate

CPWA0101

ANNEXES

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. All licensable activities authorised by this licence except for entertainment of a similar description to that falling within activities E, F & G may take place in the areas coloured PINK on plan 04059-LP deposited with and approved by the Licensing Authority. The provision of facilities for making music (I) is confined to the **BAR AREA** within the club house.
3. The regulated entertainment activities listed below and authorised by this licence may take place within the areas shown outlined in **RED** on plan 04509 as deposited with and approved by the Licensing Authority. These activities are:
 - a) Performance of live music (E)
 - b) Playing of recorded music (F)
 - c) Performance of dance (G)
 - d) Entertainment of a similar description to that falling within activities E, F & G - note this activity is only authorised outdoors
 - e) Provision of facilities for dancing (J)

Note: The Premises certificate does not permit 'Off' sales and therefore alcohol purchased/supplied by virtue of the Club Premise Certificate can not be taken out of the area outlined in **RED** on the plan numbered 04509 which accompanies the certificate.

ANNEXE 3 - CONDITIONS ATTACHED FOLLOWING A HEARING BY THE LICENSING AUTHORITY

1. No licensable activity will take place at the club between 1 November and 31 March annually.
2. The Club Committee will have regular contact with the Police and Licensing Authority.
3. The Club Committee will monitor the behaviour of members and guests.
4. The fire safety measures with which the premises are provided will be 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 Fire Precautions (Workplace) Regulations.
5. Suitable signage at the exit to request the co-operation, of patrons in particular, to be as quiet as possible when leaving the premises.
6. The handling of beer kegs, bottles and other similar items will not take place in the late evening, at night or during the early morning, when the noise generated could cause a nuisance particularly outside buildings.
7. The Club Committee will appoint a Welfare Officer.
8. When events involving amplified music and speech take place inside the premises, all external doors and windows will remain closed other than for access and egress.
9. A senior member of staff (manager) will assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment.
10. Irresponsible drinks promotions will not be permitted, and the Standards for the Management of

Licensing Act 2003
Club Premises Certificate

CPWA0101

ANNEXES continued ...

Standard Drinks Promotions produced by the British Beer and Pub Association will be complied with.

11. Only plastic or toughened glasses or plastic bottles will be permitted to be taken outside the clubhouse or on to the raised timber deck.
12. Amplified commentary is to be restricted to 6 occasions per year.
13. Stewards should be provided at the end of each late night entertainment to ensure the orderly departure of members and guests.

Licensing Act 2003
Club Premises Certificate Summary **CPWA0101**

East Devon District Council has granted this Club Premises Certificate in accordance with the Licensing Act 2003. The certificate 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.

Club Details

NAME OF CLUB IN WHOSE NAME THE CERTIFICATE IS GRANTED AND RELEVANT REGISTERED POSTAL ADDRESS OF CLUB

Budleigh Salterton Cricket Club

Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Telephone 01395446269

IF DIFFERENT FROM ABOVE THE POSTAL ADDRESS OF CLUB PREMISES TO WHICH THE CERTIFICATE RELATES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Not applicable

WHERE THE CLUB PREMISES CERTIFICATE IS TIME LIMITED THE DATES

Not applicable

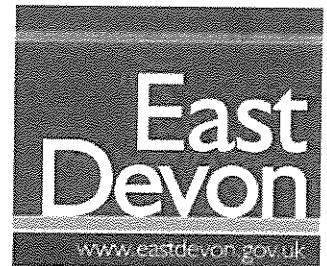
QUALIFYING CLUB ACTIVITIES AUTHORISED BY THE CERTIFICATE

- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- the supply of alcohol
- the sale by retail of alcohol

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors & Outdoors)	Friday & Saturday	7:00pm	Midnight
	Bank Holiday Mondays	7:00pm	Midnight
	Applies to Easter, May, Spring and August Bank Holiday Mondays.		
F. Playing of recorded music (Indoors & Outdoors)	Friday & Saturday	7:00pm	Midnight
	Bank Holiday Mondays	7:00pm	Midnight
	Applies to Easter, May, Spring and August Bank Holiday Mondays.		
G. Performance of dance (Indoors & Outdoors)	Friday & Saturday	7:00pm	Midnight
	Bank Holiday Mondays	7:00pm	Midnight
	Applies to Easter, May, Spring and August Bank Holiday Mondays.		





Licensing Act 2003
Club Premises Certificate Summary **CPWA0101**

THE TIMES THE CERTIFICATE AUTHORISES THE CARRYING OUT OF QUALIFYING CLUB ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
H.	Entertainment of a similar description to that falling within E, F, or G (Outdoors)		
	Monday to Sunday	10:00am	7:30pm
I.	The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON the premises only		
	Monday to Sunday	11:00am	Midnight
J.	The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place		
	Monday to Sunday	11:00am	Midnight


THE OPENING HOURS OF THE CLUB

Description	Time From	Time To

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

- I. The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption ON the premises only
- J. The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption ON the premises where the sale takes place

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


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



REPRESENTATIONS LIST

APPENDIX D

Application No: 046819 **Application Date:** 29 June 2018
Licence Type: Premises Licence WITH Alcohol **Licence No:** N/A
Application Type: New Application

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Applicant: Budleigh Salterton Cricket Club Limited
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6JF.

Person making Representation: Graham Dobie
3 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6JD.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Whilst I have been an active supporter of the Cricket Club in the past and would like people to have the opportunity to enjoy themselves. I must object to the playing of loud music at the club. This objection is driven by the nuisance that was caused last summer. If music is to be played during the day or evening it should be a considerate volume.

Last season the club played very loud music during games which prevented me enjoying the amenity of my house and garden. The members of the club also proved themselves to be inconsiderate and uncaring. When as a neighbour was dying they refused to lower the volume of the music when asked. This proves to me they are not fit or responsible to hold this licence.

Music played in the evening proved to be a nuisance for me, my family and guests as it was often played at an unreasonable volume into very late at night. In fact so loud that we could feel the bass note of the music in our home. I do not mind the music but consideration must be given to neighbours.

I strongly object to this license being granted during the working week as all in our household have demanding jobs and feel that the club cannot be trusted to be responsible.

I note that this disruption has been only been an issue since the club bought it's much heralded new sound system.

I further note that the club has not taken these issues into consideration in their application.

Evidence:

Suggestion:

- 1.No late music outside during the week.
- 2.Outside music to stop at 2230hrs at the weekend.
- 3.Daytime music to be in keeping with the tone of the area and not excessively loud, so as not to impact on the amenity of the neighbours, after all this isn't Lords or Trent Bridge. I recognise that music can add to the event but last year was unreasonable.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

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

Representation Accepted: Representation has been accepted

Reason: N/A

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

The applicant is requesting Dance, Live and Recorded music both inside and outside of the premises from 1900hrs until 2400hrs Mondays through to Sundays and there are insufficient safeguards in place to prevent a noise nuisance..

I am recommending to the Licensing Sub Committee to object to outside dance, amplified music both live and recorded at any time due to the close proximity of residential properties.

Live and recorded music (inside) Friday's and Saturdays from 1900hrs to 2400hrs

The license holder must control the volume of regulated entertainment taking place at the premises, by the installation of a noise limiter which shall be set by and to the satisfaction of an Environmental Health Officer of East Devon District Council.

The license holder must ensure that all doors and windows are kept closed during periods of regulated entertainment

It is possible that following further discussions with the applicant, amendments can be made to the operating schedule to introduce the safeguards I would like to see and this would enable me to then withdraw this representation.

Evidence:

Suggestion:

Person making Representation: Trevor Waddington
15 Coastguard Road, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Playing of live/recorded music outdoors until midnight is anti-social and a public nuisance to all residents of Budleigh Salterton living within earshot of the Cricket Club.

Evidence:

Suggestion: The playing of live/recorded music outdoors after 11pm should be prohibited.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Louise Mary Kane
44 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Prevention of Crime and Disorder

If a licence is granted to sell alcohol to non members, the Cricket Club will in effect become a public house, or indeed night club as the opening hours would far exceed that of a pub. There has been no mention of any security measures, or trained security staff to deal with any anti social or violent behaviour. Any security staff should be appropriately trained and hold the necessary licences. These staff would also need to be available for private functions.

Due to the location of the premises, the installation of CCTV should be considered to monitor any issues and to secure evidence of any criminal acts or anti-social behaviour

Measures should be put in place to stop anti social behaviour and criminal acts in the area surrounding the club in relation to off-licence sales, and those leaving the club whilst intoxicated.

The Club must provide effective training and strong management controls over all staff to implement and enforce the law regarding the sale of alcohol to the general public; and monitor the sale of alcohol indoors and outdoors to underage people or intoxicated patrons

A member of the Committee should be on site at all times to ensure legislation is adhered to.

Measures would need to be put in place to prevent the sale of alcohol to over 18s who would then distribute that alcohol to youngsters who use the nearby skate park, and the boy racers who use Lime Kiln car park in an anti-social manner.

Public Safety

If this licence is granted in it's current form the club will in effect become a public house/night club and there will be specific risks to public safety both within the premises and the surrounding area. Additional numbers of people will be attracted, and for special events and private functions, these must not exceed the prescribed safety levels for maximum occupancy. I would like confirmation of the maximum number of people allowed in the club at any one time.

On going risk assessments should be carried out on a regular basis, with tailored assessments being in place for larger and private events

There would be an increase in traffic to and from the club, and unfortunately sat nav takes many people via Granary Lane which is an extremely narrow lane with no pavements. Cars constantly speed up and down the lane, causing damage to vehicles and property, and traffic is already much heavier on Fridays, and cricket days when people are visiting the cricket club. An increase in visitors to the club will obviously increase traffic and higher numbers of people walking in Granary Lane, during the day and night. The increase in traffic on a badly lit road with no pavements will be a threat to people walking in the lane, especially in the dark. The speed of vehicles also poses a threat in itself. People step directly out of their properties onto the road and there are a number of children and elderly people in the lane who may not be able to move out of the way of a speeding vehicle to avoid a collision.

In light of the above what steps will the Club make to help re-direct traffic away from Granary Lane and Stoneborough Lane

The Club must adopt an appropriate and effective method to monitor the number of people entering and leaving the Clubhouse and ensure that once the maximum occupancy is reached, no further persons are admitted.

The club must have registered first aiders on site

The club must take measures to warn people of the dangers of alcohol and swimming. The club is on the banks of the Otter bordering a beach with no lifeguards.

If no trained security staff or first aiders are present there could be an increased threat to other members of the public using the premises in the event of any public order offence.

Any drinks sold outdoors or off the premises should be done so in plastic glasses

At present, cones have been put in place at the bottom of Granary Lane due to visitors parking on double yellow lines in a manner which would block emergency vehicles. The club only has limited parking spaces and visitors may not wish to pay the Lime Kiln car park prices and will look for other places to park. If they do park in the narrow roads and lanes in the vicinity, the impact will be twofold, valuable parking spaces which are needed by local residents will be taken, and parking without due care and attention could block the access of emergency vehicles. What steps would the Club take to mitigate these issues

Prevention of Public Nuisance

The application states that alcohol will be sold to members of the public at the discretion of the committee...I would like to know -

What criteria has been set for this...what does this actually mean? Who from the committee will be on site at all times to make that decision? The club needs to indicate what that criteria is...eg..if a party of 60 rowdy people turned up would they be served?? Who is the decision maker with regards to this, and what plans are in place to deal with any issues arising from refusal of service.

The supply of alcohol from 08:00 - midnight and beyond is excessive and could lead to anti-social behaviour at any time of the day, both on and off the premises.

The supply of alcohol for people to purchase alcohol and take it off the premises between the above hours is again excessive and could lead to antisocial behaviour at any time of the day or night. There is nothing to stop patrons purchasing alcohol and taking it to the green area near Lime Kiln car park which is adjacent to the children's play area and the skate park, the beach, or the green area at the bottom of Granary Lane. This could cause considerable nuisance to people who live in the area or people with children in the play and skate parks, should the behaviour become anti-social.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

If customers of the club purchase alcohol late at night near closing time they could carry on drinking and causing a disturbance in the locality until the small hours. There is no justifiable reason that alcohol should be sold off the premises, there are already 2 off licences in Budleigh and this would take business away from the High Street.

Off licence sales could see an increase in litter in the local area. The current bottle banks in the Lime Kiln car park are being removed so there will be no recycling available. The club should take responsibility for the disposal of any resulting litter on a daily basis.

Any live and outdoor music would need to be subject of agreed noise levels, and specific noise level monitoring equipment (noise limiter?) would need to be in operation at all times to ensure the levels are not exceeded. The current application for 7 days a week for 7 months of the year is totally unacceptable as the impact on local residents would be huge. Loud music from the club already travels throughout the area causing a disturbance, and many people in the vicinity are early risers during the week, and sometimes at weekends, due to work commitments. I myself have an early start and rise at approx. 05:15/30, and to have loud music playing until midnight would impact on my sleep pattern. The club would have little control over private parties if they were to employ live bands or DJs, and someone would need to be present to ensure the music does not exceed the prescribed limits and is turned off at the appropriate time. I am aware that requests for them to lower the volume of the music have been ignored in the past.

What noise impact assessments do the Club propose to undertake to understand the level of noise generated and its effect in the streets surrounding the Club

Local residents must be advised of what the agreed noise levels would be, as at present we are objecting without knowing the full facts. Last week Bicton held a live music event which could be heard from our house in Granary Lane, which in effect meant that sound carried for approximately 3-4 miles. That volume in close proximity would be both unbearable and unacceptable for local residents.

In addition to the noise levels, any lighting could also cause disturbance to those living in close proximity to the club, especially those living at the lower end of the lane.

Parking within the cricket club is limited yet no mention has been made of how they will tackle any parking issues for larger events. It is unlikely that patrons would wish to pay for parking so we run the risk of them parking in Granary Lane, where local residents without drives sometimes struggle to park in the summer months due to beachgoers. If they are unable to park at the cricket club, visitors will be looking for parking in the surrounding area without a thought for the needs of local residents. Again, many visitors park their vehicles dangerously and do not leave enough room for emergency vehicles such as ambulances and fire engines.

A new all access path is due to be built along the western edge of the cricket club which runs under the gardens of Granary Lane. What would be put in place to stop people becoming rowdy at night along this new path

At present there is a sign asking patrons to leave the club but avoid Granary Lane. This is based upon goodwill, and does not work. An increase in both football and traffic in the surrounding area would cause late night disturbance to residents.

Protection of Children from harm

What would be in place to protect the children who play in both the skate park and the play park which are adjacent to the cricket club

The Club must adopt and enforce a "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification

The Club must display a notice inside the premises by the front door to explain the "Challenge 25" policy, and ensure all staff are fully trained

My General Concerns

Budleigh Salterton Cricket Club is uniquely located within an Area of Outstanding Natural Beauty (AONB) adjacent to a SSSI site. I actually would like to support the cricket club, but the licence it has applied for is totally excessive, with opening hours far exceeding those of any public house and more akin to a night club. The application seems to be aimed at attracting non members and increase revenue, however in effect this means that the club becomes a Public House/night club selling alcohol from 08:00 in the morning until midnight and beyond., 7 days a week, 7 months of the year which in my view is excessive.

I am also concerned that absolutely no effort has been made to consult with local residents, I am not aware of one person who has been spoken with regarding this application. The Club have indicated that they have consulted residents it would be useful to know the number of residents consulted, whether they were members or non members and a summary of the feedback they have received.

I am objecting as the application submitted by the club is extremely brief and does not contain sufficient detail on any of the 4 licensing objectives. In my view the Committee has been extremely naïve in that they totally underestimate the challenges and risks this business model poses. They have also underestimated the impact on local residents. Outdoor music and live music, and even the club being open until 01:00 every night would impact on the sleep of those near to the club, including those of us who have to rise early for work, and families with children who have to be up for school. The nuisance would not stop at closing time but would also carry on when patrons leave the premises, causing further disturbances.

The submissions with regards to each of the four licensing objectives is weak, and does not give sufficient detail:

No detail has been given around the criteria for discretionary service, or what type of private functions will be held.

The prevention of crime and disorder, in my view, is not covered by making training records available. This is merely a recording tool, and not a pro-active approach to prevention.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

The prevention of public nuisance: In my view is not covered by making an incident book available, this is purely a recording tool and not preventative. There is no mention of noise levels, number of people at any one time, risk assessments, or how anti-social behaviour will be prevented.

No thought has been given to public safety whatsoever, in fact the application states n/a, and surely anyone can see that totally changing a business model from a club to an all hours establishment will bring public safety issues.

In addition to the noise nuisance I also have concerns about the off licence sales from 08:00, and see no need for this as it could lead to anti social behaviour in the club and the surrounding area

There are also issues around general anti-social behaviour as no criteria has been set around the management's discretion, so there seems to be no control over the clientele, and no control over what type of private functions will be held.

There is also no mention of maximum numbers of people or risk assessments.

At a recent residents meeting I spoke with 3 people who have visited the Cricket Club and purchased alcohol without being signed in by a member, and I myself have bought alcohol but never been signed in (this was a few years ago), so it does concern me that the club does not adhere to it's current licence, but expects to be granted a much enhanced licence. To satisfy these concerns can the Club provide documentary evidence of the number of non members signed in over the last 12 months

Greg Evans has indicated he has an unblemished personal record as a DPS, however the licence the club is applying for is on a totally different level, with far more challenges. Whilst the club has indicated the only reason they are applying for this licence is to prevent them applying for temporary licences for future events, they also indicate that they have held very few events in the past needing this licence, so I see no issue with them applying for ad-hoc licenses in the future. There is no guarantee that either the committee or the DPS will remain the same in the future, and any new committee members could nominate a new DPS and utilise a carte blanche license to it's full extent.

I would suggest that compromises are discussed with the club covering the following:

The current licence for Friday/Saturday and bank holidays remains in place with 6 further events per annum being allowed with a cut off and closing time of 23:00 on weekdays.

No outdoor music or live acts to take place after 22:00

A limit of 500 people allowed on site at any one time, with the necessary risk assessments being carried out, and parking and security provided

Anything over and above the above points to be dealt with via a temporary licence and consultation with local residents.

No alcohol to be sold before 11:00, unless via a temporary licence for special events.

No off-licence sales whatsoever.

A set criteria should be put in place for the type of events the club is hired out for, with the committee considering each application on it's own merits

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Paul Anthony Kane
44 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason:

Details:

Prevention of crime and disorder

If a licence is granted to sell alcohol to non members, the Cricket Club will in effect become a public house, or indeed night club as the opening hours would far exceed that of a pub. There has been no mention of any security measures, or trained security staff to deal with any anti social or violent behaviour. Any security staff should be appropriately trained and hold the necessary licences. These staff would also need to be available for private functions.

Due to the location of the premises, the installation of CCTV should be considered to monitor any issues and to secure evidence of any criminal acts or anti-social behaviour

Measures should be put in place to stop anti social behaviour and criminal acts in the area surrounding the club in relation to off-licence sales, and those leaving the club whilst intoxicated.

The Club must provide effective training and strong management controls over all staff to implement and enforce the law regarding the sale of alcohol to the general public; and monitor the sale of alcohol indoors and outdoors to underage people or intoxicated patrons

A member of the Committee should be on site at all times to ensure legislation is adhered to.

Measures would need to be put in place to prevent the sale of alcohol to over 18s who would then distribute that alcohol to youngsters who use the nearby skate park, and the boy racers who use Lime Kiln car park in an anti-social manner.

Public safety

If this licence is granted in it's current form the club will in effect become a public house/night club and there will be specific risks to public safety both within the premises and the surrounding area. Additional numbers of people will be attracted, and for special events and private functions, these must not exceed the prescribed safety levels for maximum occupancy. I would like confirmation of the maximum number of people allowed in the club at any one time.

On going risk assessments should be carried out on a regular basis, with tailored assessments being in place for larger and private events

There would be an increase in traffic to and from the club, and unfortunately sat nav takes many people via Granary Lane which is an extremely narrow lane with no pavements. Cars constantly speed up and down the lane, causing damage to vehicles and property, and traffic is already much heavier on Fridays, and cricket days when people are visiting the cricket club. An increase in visitors to the club will obviously increase traffic and higher numbers of people walking in Granary Lane, during the day and night. The increase in traffic on a badly lit road with no pavements will be a threat to people walking in the lane, especially in the dark. The speed of vehicles also poses a threat in itself. People step directly out of their properties onto the road and there are a number of children and elderly people in the lane who may not be able to move out of the way of a speeding vehicle to avoid a collision.

In light of the above what steps will the Club make to help re-direct traffic away from Granary Lane and Stoneborough Lane

The Club must adopt an appropriate and effective method to monitor the number of people entering and leaving the Clubhouse and ensure that once the maximum occupancy is reached, no further persons are admitted.

The club must have registered first aiders on site

The club must take measures to warn people of the dangers of alcohol and swimming. The club is on the banks of the Otter bordering a beach with no lifeguards.

If no trained security staff or first aiders are present there could be an increased threat to other members of the public using the premises in the event of any public order offence.

Any drinks sold outdoors or off the premises should be done so in plastic glasses

At present, cones have been put in place at the bottom of Granary Lane due to visitors parking on double yellow lines in a manner which would block emergency vehicles. The club only has limited parking spaces and visitors may not wish to pay the Lime Kiln car park prices and will look for other places to park. If they do park in the narrow roads and lanes in the vicinity, the impact will be twofold, valuable parking spaces which are needed by local residents will be taken, and parking without due care and attention could block the access of emergency vehicles. What steps would the Club take to mitigate these issues

Prevention of public nuisance

The application states that alcohol will be sold to members of the public at the discretion of the committee...I would like to know -

What criteria has been set for this...what does this actually mean? Who from the committee will be on site at all times to make that decision? The club needs to indicate what that criteria is...eg..if a party of 60 rowdy people turned up would they be served?? Who is the decision maker with regards to this, and what plans are in place to deal with any issues arising from refusal of service.

The supply of alcohol from 08:00 - midnight and beyond is excessive and could lead to anti-social behaviour at any time of the day, both on and off the premises.

The supply of alcohol for people to purchase alcohol and take it off the premises between the above hours is again excessive and could lead to antisocial behaviour at any time of the day or night. There is nothing to stop patrons purchasing alcohol and taking it to the green area near Lime Kiln car park which is adjacent to the children's play area and the skate park, the beach, or the green area at the bottom of Granary Lane. This could cause considerable nuisance to people who live in the area or people with children in the play and skate parks, should the behaviour become anti-social.

If customers of the club purchase alcohol late at night near closing time they could carry on drinking and causing a disturbance in the locality until the small hours. There is no justifiable reason that alcohol should be sold off the premises, there are already 2 off licences in Budleigh and this would take business away from the High Street.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Off licence sales could see an increase in litter in the local area. The current bottle banks in the Lime Kiln car park are being removed so there will be no recycling available. The club should take responsibility for the disposal of any resulting litter on a daily basis.

Any live and outdoor music would need to be subject of agreed noise levels, and specific noise level monitoring equipment (noise limiter?) would need to be in operation at all times to ensure the levels are not exceeded. The current application for 7 days a week for 7 months of the year is totally unacceptable as the impact on local residents would be huge. Loud music from the club already travels throughout the area causing a disturbance, and many people in the vicinity are early risers during the week, and sometimes at weekends, due to work commitments. I myself have an early start and rise at approx. 05:15/30, and to have loud music playing until midnight would impact on my sleep pattern. The club would have little control over private parties if they were to employ live bands or DJs, and someone would need to be present to ensure the music does not exceed the prescribed limits and is turned off at the appropriate time. I am aware that requests for them to lower the volume of the music have been ignored in the past.

What noise impact assessments do the Club propose to undertake to understand the level of noise generated and its effect in the streets surrounding the Club

Local residents must be advised of what the agreed noise levels would be, as at present we are objecting without knowing the full facts. Last week Bicton held a live music event which could be heard from our house in Granary Lane, which in effect meant that sound carried for approximately 3-4 miles. That volume in close proximity would be both unbearable and unacceptable for local residents.

In addition to the noise levels, any lighting could also cause disturbance to those living in close proximity to the club, especially those living at the lower end of the lane.

Parking within the cricket club is limited yet no mention has been made of how they will tackle any parking issues for larger events. It is unlikely that patrons would wish to pay for parking so we run the risk of them parking in Granary Lane, where local residents without drives sometimes struggle to park in the summer months due to beachgoers. If they are unable to park at the cricket club, visitors will be looking for parking in the surrounding area without a thought for the needs of local residents. Again, many visitors park their vehicles dangerously and do not leave enough room for emergency vehicles such as ambulances and fire engines.

A new all access path is due to be built along the western edge of the cricket club which runs under the gardens of Granary Lane. What would be put in place to stop people becoming rowdy at night along this new path

At present there is a sign asking patrons to leave the club but avoid Granary Lane. This is based upon goodwill, and does not work. An increase in both footfall and traffic in the surrounding area would cause late night disturbance to residents.

Protection of children from harm

What would be in place to protect the children who play in both the skate park and the play park which are adjacent to the cricket club

The Club must adopt and enforce a "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification

The Club must display a notice inside the premises by the front door to explain the "Challenge 25" policy, and ensure all staff are fully trained

My General Concerns

Budleigh Salterton Cricket Club is uniquely located within an Area of Outstanding Natural Beauty (AONB) adjacent to a SSSI site. I actually would like to support the cricket club, but the licence it has applied for is totally excessive, with opening hours far exceeding those of any public house and more akin to a night club. The application seems to be aimed at attracting non members and increase revenue, however in effect this means that the club becomes a Public House/night club selling alcohol from 08:00 in the morning until midnight and beyond., 7 days a week, 7 months of the year which in my view is excessive.

I am also concerned that absolutely no effort has been made to consult with local residents, I am not aware of one person who has been spoken with regarding this application. The Club have indicated that they have consulted residents it would be useful to know the number or residents consulted, whether they were members or non members and a summary of the feedback they have received.

I am objecting as the application submitted by the club is extremely brief and does not contain sufficient detail on any of the 4 licensing objectives. In my view the Committee has been extremely naive in that they totally underestimate the challenges and risks this business model poses. They have also underestimated the impact on local residents. Outdoor music and live music, and even the club being open until 01:00 every night would impact on the sleep of those near to the club, including those of us who have to rise early for work, and families with children who have to be up for school. The nuisance would not stop at closing time but would also carry on when patrons leave the premises, causing further disturbances.

The submissions with regards to each of the four licensing objectives is weak, and does not give sufficient detail:

No detail has been given around the criteria for discretionary service, or what type of private functions will be held.

The prevention of crime and disorder, in my view, is not covered by making training records available. This is merely a recording tool, and not a pro-active approach to prevention.

The prevention of public nuisance: In my view is not covered by making an incident book available, this is purely a recording tool and not preventative. There is no mention of noise levels, number of people at any one time, risk assessments, or how anti-social behaviour will be prevented.

No thought has been given to public safety whatsoever, in fact the application states n/a, and surely

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

anyone can see that totally changing a business model from a club to an all hours establishment will bring public safety issues.

In addition to the noise nuisance I also have concerns about the off licence sales from 08:00, and see no need for this as it could lead to anti social behaviour in the club and the surrounding area

There are also issues around general anti-social behaviour as no criteria has been set around the management's discretion, so there seems to be no control over the clientele, and no control over what type of private functions will be held.

There is also no mention of maximum numbers of people or risk assessments.

At a recent residents meeting my wife spoke with 3 people who have visited the Cricket Club and purchased alcohol without being signed in by a member, and I myself have bought alcohol but never been signed in (this was a few years ago), so it does concern me that the club does not adhere to it's current licence, but expects to be granted a much enhanced licence. To satisfy these concerns can the Club provide documentary evidence of the number of non members signed in over the last 12 months

Greg Evans has indicated he has an unblemished personal record as a DPS, however the licence the club is applying for is on a totally different level, with far more challenges. Whilst the club has indicated the only reason they are applying for this licence is to prevent them applying for temporary licences for future events, they also indicate that they have held very few events in the past needing this licence, so I see no issue with them applying for ad-hoc licenses in the future. There is no guarantee that either the committee or the DPS will remain the same in the future, and any new committee members could nominate a new DPS and utilise a carte blanche license to it's full extent.

I would suggest that compromises are discussed with the club covering the following:

The current licence for Friday/Saturday and bank holidays remains in place with 6 further events per annum being allowed with a cut off and closing time of 23:00 on weekdays.

No outdoor music or live acts to take place after 22:00

A limit of 500 people allowed on site at any one time, with the necessary risk assessments being carried out, and parking and security provided

Anything over and above the above points to be dealt with via a temporary licence and consultation with local residents.

No alcohol to be sold before 11:00, unless via a temporary licence for special events.

No off-licence sales whatsoever.

A set criteria should be put in place for the type of events the club is hired out for, with the committee considering each application on it's own merits

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Julie Campbell
38 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder

Specific risks to the prevention of crime and disorder include:

potential for the sale/distribution of alcohol outside the premises to underage children & young people by members/non-members of the club or by intoxicated people
anti-social behaviour by intoxicated people late into the evening and early hours of the morning around the premises and when leaving, including driving while intoxicated along narrow, unlit streets (eg: Granary Lane and Stoneborough Lane) and on the beach
the application would enable the Cricket Club to effectively operate as a nightclub, given the hours and activities intended, with no apparent understanding of the risks and liabilities this would entail, as evidenced by the lack of proposed measures indicated by the Club re: security etc

Specific control measures required to counter these risks are:

CCTV to monitor the premises and outside areas and support investigation into incidents of anti social behaviour

sufficient numbers of well-trained security staff, appropriate to the numbers of people attending each event, to deal with any anti social behaviour and ensure people leave the premises quietly and safely
no glasses or glass bottles to be used outside or off the premises

all volunteers and staff of the Cricket Club must be clear about their legal & social responsibilities re: sale of alcohol

effective training and supervisory management of all volunteers & staff re: sale of alcohol to the public, especially with regard to the safety and wellbeing of children and young people

the Cricket Club must follow strict procedures for ensuring non-members are signed in by members

Public safety

Specific risks to public safety include:

additional numbers of people entering the premises for special events exceed safety levels for maximum occupancy

increased traffic along narrow, unlit roads near the Cricket Club (eg: Granary Lane & Stoneborough Lane) late in the evening and during the early hours of the morning - both these streets have no pavements. This has the potential to result in damage to parked vehicles and accidents involving pedestrians, especially in the dark

intoxicated people swimming in the sea or river

Specific control measures required to counter these risks are:

a strict system for recording people entering and leaving the premises to ensure the maximum occupancy is not exceeded

effective training and supervisory management of all volunteers & staff re: legal and social responsibilities towards their members and non-members to ensure their safety and the safety of local residents

thorough risk assessments must be carried out before holding any events and risks effectively mitigated
emergency procedures must be put in place and training provided eg: evacuation of the premises in case of fire/other emergency situations

sufficient Cricket Club staff and volunteers need to be registered first-aiders to cover the numbers of people on the premises at all times, including first aid for young children

Prevention of public nuisance

Specific risks to prevention of public nuisance include:

the supply of alcohol for consumption on and off the premises until the early hours of the morning means people may be drinking to excess on the green areas around the club and at the bottom of Granary Lane, the nearby children's playground & skatepark and on the beach

playing of live/recorded music (indoors and outdoors) until the early hours of the morning - sound travels a significant distance across open ground and up the Otter Valley alongside private residences in Granary Lane. Many residents work full-time and need to get up early in the mornings and everyone needs to get a good night's sleep, especially young children and those who are ill

members and non-members leaving the Cricket Club late at night/in the early hours of the morning and walking up Granary Lane or driving along nearby streets, making noise, especially if intoxicated

increase in the number of cars parked in nearby, narrow streets by members/non-members attending events - Granary Lane and Stoneborough Lane are already congested with residents' vehicles. This also risks access for emergency vehicles, since people unfamiliar with parking on narrow streets may impede access. Existing Cricket Club car park will be insufficient to manage an increase in vehicle numbers
increase in littering on the beach and surrounding areas of the Cricket Club - this is harmful for wildlife

Specific control measures required to counter these risks are:

strict measures to monitor & control the noise levels of live/recorded music eg: use of a noise limiter

Cricket Club must take responsibility for the behaviour of people at their events and ensure they do not cause a nuisance to residents, especially late at night, both during events and when leaving the premises. The existing sign asking people not to leave via Granary Lane is clearly ineffective - signs need to be prominently displayed at all exits and outdoor areas ensuring that people behave safely & appropriately in a residential area late at night

Cricket Club must ensure any outside lighting used at events does not disturb residents living nearby
Cricket Club must take responsibility for ensuring people attending events park in the Lime Kiln car park when the Club car park is full

Cricket Club must not sell alcohol/other drinks in glass bottles if it is taken outside the premises

Cricket Club must provide sufficient litter bins and recycling facilities for its members/non-members

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Protection of children from harm

Specific risks to the protection of children from harm include:

large numbers of young people under 18 visit the Cricket Club for matches/training/other activities, often without direct parental supervision - what safeguarding protocols and procedures are in place to ensure children and young people are protected from harm?

the potential for the distribution of alcohol or illegal substances to children and young people by over-18s/adults

the risk that children and young people witness anti social behaviour by intoxicated adults, including physical violence

the proximity of the Cricket Club to a children's playground and skatepark

Specific control measures required to counter these risks are:

thorough and ongoing safeguarding training and management supervision for all volunteers and staff designated safeguarding lead on the premises at all times and guidance given to all children and young people about what to do if they have a worry/concern about themselves or another child

a strictly monitored procedure needs to be implemented to ensure no children or young people (under 18) are able to access alcohol or illegal substances, either on or off the premises during events. This must include a 'Challenge 25' policy

More Comments

Whilst I can understand the Cricket Club's aim to attract more revenue to support its activities, this application appears to significantly underestimate the inherent risks and liabilities of holding large events, including live/recorded music and dancing, in a residential area of a small town in an AONB and SSSI. The measures/changes I have outlined above and those given below would reduce the risks

the application for events up to 7 nights a week for 7 months of the year and until the early hours of the morning is unreasonable given the significant impact on local residents and risks to the general public. A compromise would be for Fridays and Saturdays until 23.00, Sundays until 22.00, bank holidays and up to 5-6 other times per annum, with a maximum number of 500 attending each event. All events would have to comply with the control measures indicated above

impact assessments will have to be carried out in relation to the environment, public safety, safeguarding children and noise

the Cricket Club will need to be proactive in relation to the prevention of crime & disorder and anti social behaviour and safeguarding children and young people

no live/recorded music outside after 22.30

no alcohol to be sold on the premises before 11.00 or after 22.00

no off licence sales to non-members

the Cricket Club must have sufficient numbers of well-trained and supervised volunteers and staff at all times to ensure the safety of members/non-members and the general public/local residents

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Colin Campbell
38 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder

The applicant is a family orientated cricket club so any increase in access to alcoholic beverages will increase the risk of:

an increase of distribution of alcohol to underage children & young people by members/non-members of the club or by intoxicated people

an increase in anti-social behaviour by intoxicated people late into the evening and early hours of the morning around the premises and when leaving, including driving while intoxicated along narrow, unlit streets (eg: Granary Lane and Stoneborough Lane) and the adjacent beach car park which already attracts "boy racers".

the Cricket Club effectively operating as a nightclub, given the hours and activities intended, with no apparent understanding of the risks and liabilities this would entail, as evidenced by the lack of proposed measures indicated by the Club re: security etc. As indicated above a cricket club (operated by volunteers) cannot be expected to manage such an enterprise/business safely.

To begin to minimise the above risks an investment in specific control measures will need to be made, including:

CCTV with staff to monitor the premises and outside areas and support investigation into incidents of anti social behaviour

significant increase in members of trained staff to reflect the numbers of people attending each event, to deal with any anti social behaviour and ensure people leave the premises quietly and safely

no glasses or glass bottles to be used outside or off the premises

all volunteers and staff of the Cricket Club must be clear about their legal & social responsibilities re: sale of alcohol

effective staff structure that has access to training and supervisory management of all volunteers & staff re: sale of alcohol to the public, especially with regard to the safety, wellbeing of children and young people and effective crowd control

the Cricket Club following enhanced procedures for ensuring non-members are signed in by members to reflect increased numbers and trading hours.

Public safety

Increased risks to public safety include:

special events exceeding safety levels for maximum occupancy of the cricket club due to additional numbers of people entering the premises

increase in road traffic accidents along narrow, unlit roads near the Cricket Club (eg: Granary Lane & Stoneborough Lane) late in the evening and during the early hours of the morning - both these streets have no pavements. This has the potential to result in damage to parked vehicles and accidents involving pedestrians, especially in the dark

intoxicated people swimming in the sea or river

Specific control measures required to minimise these risks are:

a limit to the number of days and number of late night openings

a strict system for recording people entering and leaving the premises to ensure the maximum occupancy is not exceeded

effective training and supervisory management of all volunteers & staff re: legal and social responsibilities towards their members and non-members to ensure their safety and the safety of local residents

thorough risk assessments must be carried out before holding any events and risks effectively mitigated

emergency procedures must be put in place and training provided eg: evacuation of the premises in case of fire/other emergency situations

sufficient Cricket Club staff and volunteers need to be registered first-aiders to cover the numbers of people on the premises at all times, including first aid for young children

Prevention of public nuisance

Specific risks to prevention of public nuisance include:

the supply of alcohol for consumption on and off the premises until the early hours of the morning will likely lead to anti-social behaviour on the adjacent green public areas around the club and at the bottom of Granary Lane, the nearby children's playground & skatepark and on the beach

excessive noise with the playing of live/recorded music (indoors and outdoors) until the early hours of the morning - at has already been evidenced from current events that sound from the cricket ground travels a significant distance up the Otter Valley alongside private residences in Granary Lane. This will cause an added public nuisance to local residents and impact negatively on relations with the local community.

an increase in noise from members and non-members leaving the Cricket Club late at night/in the early hours of the morning and walking up Granary Lane or driving along nearby streets, making noise, especially when leaving in large numbers

increase in the number of cars parked in nearby, narrow streets by members/non-members attending events - Granary Lane and Stoneborough Lane are already congested with residents' vehicles. This also risks access for emergency vehicles, since people unfamiliar with need to park considerably on narrow streets to avoid impeding access. It is clearly evident that the Cricket Club's car park will be insufficient to manage an increase in vehicle numbers

increase in littering on the beach and surrounding areas of the Cricket Club - this is harmful to Budleigh Salterton's unique environment and to the wildlife

Specific control measures required to counter these risks are:

strict measures to monitor & control the noise levels of live/recorded music eg: use of a noise limiter

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

a limit to the number of events and late nights (ie, past 11pm)

Cricket Club must take responsibility, with clear measures in place, to manage the behaviour of people at their events and ensure they do not cause a nuisance to residents, especially late at night, both during events and when leaving the premises. The existing sign asking people not to leave via Granary Lane is clearly ineffective - signs need to be prominently displayed at all exits and outdoor areas ensuring that people behave safely & appropriately in a residential area late at night

Cricket Club must ensure any outside lighting used at events does not disturb residents living nearby

Cricket Club must take responsibility for ensuring people attending events park in the Lime Kiln car park when the Club car park is full

Cricket Club must not sell alcohol/other drinks in glass bottles if it is taken outside the premises

Cricket Club must provide sufficient litter bins and recycling facilities for its members/non-members

Protection of children from harm

Specific risks to the protection of children from harm.

The applicant is a family orientated cricket so any increase in access to alcoholic beverages will increase the risk of children and young people being:

exposed to being in close proximity to high numbers of adults who are intoxicated

exposed to increased access to alcohol

at risk of harm from intoxicated adults(& children)

at risk of harm from increased traffic

witness to anti social behaviour by intoxicated adults, including physical violence

poorly safeguarded

Specific control measures required to counter these risks are:

accredited safeguarding training and management supervision for all volunteers and staff

the appointment of a suitably trained designated safeguarding leads on the premises at all times and guidance given to all children and young people about what to do if they have a worry/concern about themselves or another child

a strictly monitored procedure needs to be implemented to ensure no children or young people (under 18)

are able to access alcohol or illegal substances, either on or off the premises during events. This must

include a 'Challenge 25' policy

More Comments

Whilst I can understand the Cricket Club's aim to attract more revenue to support its activities, this application appears to significantly underestimate the inherent risks and liabilities of holding large events, including live/recorded music and dancing, in a residential area of a small town in an AONB and SSSI. The application also appears to be a move away from being a family orientated cricket club to a night club/events business. The measures/changes I have outlined above and those given below would minimise some of the risks:

the application for events up to 7 nights a week for 7 months of the year and until the early hours of the morning is unreasonable given the significant impact on local residents and risks to the general public. A compromise would be for Fridays and Saturdays until 23.00, Sundays until 22.00, bank holidays and up to 5-6 other times per annum, with a maximum number of 500 attending each event. All events would have to comply with the control measures indicated above

impact assessments will have to be carried out in relation to the environment, public safety, safeguarding children and noise

the Cricket Club will need to be proactive in relation to the prevention of crime & disorder and anti social behaviour and safeguarding children and young people

no live/recorded music outside after 22.30

no alcohol to be sold on the premises before 11.00 or after 22.00

no off licence sales to non-members

the Cricket Club must have sufficient numbers of well-trained and supervised volunteers and staff at all times to ensure the safety of members/non-members and the general public/local residents

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Richard Matta
58 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: With reference to the above Premises Licence Application, I wish to make the following objection; on the grounds of Public Safety.

I feel that the granting of this application would result in a very large increase in traffic along Granary Lane and Stoneborough Lane (in both directions), neither of which have pavements.

With the use of Sat Navs there has already occurred a very noticeable increase in the traffic in Granary Lane. Traffic flow becomes even heavier at weekends and peak holiday times - including Christmas. This in turn causing damage to parked cars and property. The inappropriate speed of some motorists using Granary Lane is also of great of concern. This especially to myself, being - on foot - a somewhat slow, moving elderly resident. My disabilities making it difficult for me to avoid fast moving traffic when stepping into the lane, from the safety of my car port.

I fear the increased traffic from the proposed extended activities will not only cause greater nuisance, distress and upset to residents, but also, increase the likelihood of accidents to people such as myself.

Therefore I wish my objective being taken into account when considering the above application.

Evidence:

Suggestion:

Person making Representation: Robert Wiltshire
12 Marine Parade, BUDLEIGH SALTERTON, Devon, EX9 6NS.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: I believe that the proposed hours are unreasonable late for local residents

Evidence:

Suggestion: I believe that 23:00hrs would be a reasonable finishing time

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Jwanna Hawalewycz
58 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: With reference to the above Premises Licence Application, I wish to make the following objections; on the grounds of Public Safety and Increased Opportunities for Criminal Activities.

I feel that the granting of this application would result in a very large increase in traffic along Granary Lane and Stoneborough Lane (in both directions), neither of which lanes have pavements. This in turn would make accessing and exiting one's home even more difficult at times; than it already is.

With the inappropriate use of Sat Navs there has already occurred a very noticeable increase in the traffic in Granary Lane. Traffic flow becomes even heavier at weekends and peak holiday times - including Christmas. Thus increasing the risk of damage to residents' parked cars and property.

The inappropriate speed of some motorists using Granary Lane is also of great of concern. Not only when trying to exit my property, but also to the many pedestrians using the lane at all hours. I have noticed that a great many of the pedestrians have various disabilities, such as eye, audio and movement impairment.

I fear the increased traffic from the proposed extended activities will not only cause greater nuisance, distress and upset to residents, but also, increase the likelihood of accidents, damage to people, residents' parked car and property.

Unfortunately the proposed extended activities, could also lead to various crimes of opportunity occurring.

Therefore I wish my objections being taken into account when considering the above application.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Jed Falby
96 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6EP.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

I am aware of the application put in to EDDC for a new all-purpose license for the Budleigh Salterton Cricket Club.
This application does not give enough details to allow an intelligent opinion.
There are no guidance notes on safety (traffic and Children)
There are no details of policing of liquor sales
(no mentioning of responsible handling of drink problems - broken glass - no mention of controlling purchases - non-members already buy drinks with no control - drinks carried to beach from 08:00am to well past midnight invite bad behaviour)
Any good application would have included reported conversations with neighbours and many details that you at EDDC would expect in a serious application.
This is a sloppy application.
But to my key points:
I wish to object to this application.
Alcohol:
Selling alcohol from 08:00am to past midnight
risks public safety with no sign of any controls by the applicant. It is unnecessary for the club and should be refused.
Noise:
Noise is already a nuisance to all the neighbours on Granary Lane, Lower Stoneborough Avenue and Boucher Road. To allow additional exterior music at any and all hours is to seriously affect the amenities of many local residents. (lady resident: "I just can't sleep even with all my windows and doors closed")
Public Nuisance:
This application would allow complete freedom to hold major events on the cricket field. Open-Air Movies, Folk festivals, Rock festivals, car rallies - all inviting 5,000 people (and their cars) down the narrow Granary Lane and Lower Stoneborough Avenue. These events would cause major upsets to all the local residents.
It would be a classic case of Public nuisance.

I would request that EDDC refuse this application on all the above grounds.
Such an action might force the BSCC to talk to their neighbours - who would all like to support the club - not knock it.
Thank you.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Margaret Yerrell
51 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: I wish to object to the granting of a licence for the above application by the Cricket Club, off Granary Lane, on the following grounds:

1. The prevention of public nuisance.

The Cricket Club grounds are situated in the estuary of the Otter, a large expanse of flat, open land with no barriers to sound. Any outdoor sounds would, and do, travel up the open valley for a long way, and any outdoor music would cause very considerable nuisance. As it is, the shouts during a cricket match are clearly audible right at the top end of Granary Lane where we live. We do not mind the noise of an occasional daytime cricket match, but we would find the noise of music at night intolerable, even if only occasionally.

In addition there would be the noise of vehicles coming and going from the site, and uninhibited noises from people who had consumed alcohol, which would be readily available until midnight. People on foot would almost certainly be very noisy leaving the Cricket Club via Granary Lane or Marine Parade- and alcohol would be on sale to anybody, not just members. Those who have consumed alcohol often urinate or are sick in the vicinity and this would be another nuisance, as would the dropping of litter.

2. The prevention of crime and disorder.

There is a strong possibility of increased vandalism and petty crime as 'customers' leave the premises on foot and in groups.

3. The promotion of public safety

Granary Lane is already rather dangerous to pedestrians as there is no pavement (except for the frontages of modern developments) and it is very narrow in places. Cyclists whizz by silently and most of us over 60 can't hear their approach. There is already considerable road traffic encouraged by satnavs. A music event would attract large numbers of cyclists, motor bikes and cars. A large proportion of the residents of Granary Lane are over 75.

4. Environmental concerns

All the above objections would apply to a more enclosed site, but the Cricket Club is situated in, or at the edge of, a Nature Reserve. A more unsuitable site is hard to imagine. Any self-respecting birdlife would surely wing it elsewhere without delay, leading to a huge loss of amenity.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Sarah Elizabeth Adam
Bicton College, East Budleigh, BUDLEIGH SALTERTON, EX9 7BY.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: I am writing to object to Budleigh Salterton's Cricket Club Premises Licence Application in its current form.

I do not want to stop the enjoyment or growth of Budleigh Cricket Club, but I have noticed that events over the last couple of years have got louder and more noticeable, so I am keen this doesn't increase.

Also, I believe that having a cricket club in Budleigh is a very positive facility for various ages within Budleigh but as a local cricket club and not regular place to have late night music and drinking, which could attract a different sort of person.

As a local resident of Granary Lane, I have not been consulted by anyone regarding the license application.

My concerns are;

1. Prevention of Crime and Disorder

The licence that the club has applied for could, in theory, allow the Cricket Club to hold much bigger events. This would naturally increase the potential for crime and disorder in the area during those events, when visitors attend who may not appreciate Budleigh's environment.

Alcohol served on and outside of the establishment within the grounds will increase the risk of alcohol fuelled crime - how is this going to be policed in the Cricket Club?

2. Public Safety

Public safety is key with this sort of application. There is a children's play area next to the cricket club, together with a beach used by many local families. Because these events will be held at a time of year when darkness does not arrive until 10pm, families will still be enjoying the local environment, so the possibility of alcohol fuelled aggravation is there, not to mention the effects it could have on local residents who chose to live a quieter life in Budleigh. The area is also full of wildlife, which could be affected by increased footfall and events.

The club is also keen to attract new non-members to the Club, I imagine to increase its revenue, which I totally understand. However, these are people who are non-members and may not respect the rules of the Club. How would the Club police this?

3. Prevention of Public Nuisance

As the Cricket Club is open during the summer months the noise level at events is more noticeable as we have all of our windows open and the noise of people leaving the club has also increased. It worries me that this environmental noise pollution will increase further. I also don't know how it is currently measured.

With more events, there will be a definite increase in traffic along Granary Lane, which is not designed for through traffic as you can barely get one car through part of the lane already. An increase in traffic will also affect the safety of young families and elderly residents walking to and from the beach in summertime.

In the summer months we love the fact we can enjoy eating and socialising amongst the local nature, peace and quiet in our garden. Whilst it is nice to hear people enjoying themselves with a bit of music, when it becomes too loud to speak comfortably, it can feel unfair in our own home.

Overall, the Cricket Club have every right to ask for this license and I would like to help them raise more funds. However, why can this not be done through the provision of Temporary Event Notices as currently used. What will the increase of scope within a premises license bring to the club over and above the TENs applications and what is their reason for this application?

4. Protection of Children from Harm.

If the club sells alcohol for consumption both inside and outside in the grounds, who will police people who wander out of the ground towards the beach or children's play area?

Personally, I feel the open conditions of the current applications could be controlled in the following areas;

Set days to sell alcohol - not every day

Set times to sell alcohol - not in the mornings

Licensing hours to remain within 2300 hrs unless a TEN is applied for

Live music not allowed outside, unless a TENs is applied for

Number of outside live music events limited per year

Noise levels measured against the nearest house to the premises

All people consuming alcohol in the club must be members, so that the club have their details and it would subsequently give subconscious responsibility to new visitors and to the Club

Event applications to be clearly displayed in Granary Lane, visible to all residents

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Matt Arcscott
8 Copplestone Road, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Ref: Representation against Budleigh Salterton Cricket Club Premises Licence Application - Reference No. 046819

To Whom It May Concern:

I am writing to object to Budleigh Salterton's Cricket Club Premises Licence Application in its current form. I do not live close to the Cricket Club, but my Mother-in-Law and Grandmother - in-Law live right next to it and I know that they are continuously affected by the noise from the music on many occasions and especially when the club holds events. I visit them many times a week and am shocked at how noisy the Cricket Club can be when I visit.

I know that at times they are unable to rest or sleep with their windows open during the peak of the noise, which I find most distressing and notice how damaging this can be as is being to their health and wellbeing and can also see how this affects my Mother-in-Law emotionally and mentally. The noise on many occasions prevents them from opening their patio doors, sitting on their balcony or enjoying their garden, which is absurd. My family did not buy a retirement home in Budleigh Salterton, near the sea, an area of ANOB and SSSI Status for a fantastic quality of life to stay confined within its 4 walls!

The thought of longer opening hours, 7 days a week with limited or no restrictions with the additional goings on, the parties, the noise and the events is almost too much to bear for my family. To turn the Cricket Club into a nightclub would be devastating to the environment, the local residents and I believe a negative impact on our beautiful town.

I wish for it to be noted that I and all my family love the Cricket Club. I love to watch the cricket out of the windows especially with my 3 ½ year old son and we've talked about how exciting it shall be for him to join when he's a little older, the cricket itself is not noisy and is really pleasant.

I am a huge cricket fan and really want to support the Club and encourage it to thrive and survive, as I believe it is a great asset to our town but do not believe that increasing the hours it opens and the amount of alcohol it serves is the most effective way to increase revenue and support it.

The Cricket Club have said that they have consulted with local residents about the licence application and that it is not going to affect the way it currently operates but I question this as if this is the case why are they applying for a full licence rather than temporary licenses (where they can have 15 additional events a year, a process which by all accounts I've been told, is cost effective and easy to do).

As I mentioned earlier my Mother-in-Law is the closest to the club and no one has been kind enough or considerate enough to knock on our door and talk to us about it. There was no public consultation, no invitation to the club to discuss the possibilities and having spoken with a number of friends / neighbours on Granary Lane have told me that they haven't heard from anyone either.

A few residents have contacted the club directly trying to get some answers but I know I speak for many Granary Lane residents when I say we are in the dark and have lots of unanswered questions causing great distress.

I do not trust the Cricket Club to do the right thing by its neighbours; they have already said that they have consulted their neighbours when clearly they haven't.

Last year over the August Bank Holiday weekend my Father-in-Law lay dying in his home, in his bedroom after a 4-year battle with cancer. My wife and I were with him and my Mother-in-Law for days leading up to his death and my wife stayed overnight every for 15 days straight and over the course of the weekend while he slipped into a coma the music, noise and general disruption from the Cricket Club was completely unbearable and on 3 separate occasions family friends, who incidentally are also members of the club, went to the club and asked them if they could please turn the music down a little and be considerate of their immediate neighbour who was dying.

The fact that people went on 3 separate occasions shows the lack of compassion and respect for someone in their final hours and days of life let alone someone who was their closest neighbour. Despite the requests no adjustments were made to the volume and disruption. I appreciate that this was a unique situation and one that was extremely distressing in its own right, but I ask you to consider if the club can not show respect and compassion in such an extreme case then why would they on a normal Monday to Sunday any time of day between April to October? This lack of humanity is alien to me and only causes me greater concern for my family.

1. Prevention of Crime and Disorder

The licence that the club has applied for could turn the cricket club into a nightclub. What provision has been considered for firstly the amount of people the venue could then hold? If there are up to 5000 people able to attend an event there that puts an enormous drain on the local police force.

How is this going to be managed? Where are they all going to park? Increased traffic to an already congested small area could cause disorder on the roads as well as damage to residents' cars parking along Granary Lane.

Have the club considered bouncers? What would the ratio be of bouncers / security to member of the public? Who is going to guarantee the safety of the residents in the area? What happens when everyone wants to leave?

What traffic routes / plans shall be put in place to ensure there is not disorder and everything runs smoothly?

What is the likelihood of crime in the area increasing with increased numbers of people and an increased number of people who have been drinking.

There are so many questions which need answering.

Considerations could be:

CCTV - could this be installed to monitor the environment and identify any incidents/individuals?

Security staff to deal with any incidents

A designated resident spokesperson and Cricket Club member to discuss all potential events and

consequences openly and honestly.

Someone (or a number of people dependant of the number of public people) designated to be available at closing time to ensure customers leave in a timely and correct manner and in the right way as its evident the current signage does not work.

Direct link to the police regarding any disturbances (not sure if this is possible or normal)

Some rules would need to be in place for over 18's buying alcohol

NO alcohol to be taken off of the premises at any time.

Consideration for only plastic glasses/bottles - to conserve the environment but also the children's areas nearby

2. Public Safety

I noticed when reading the Cricket Clubs application under this heading they had noted - N/A!!

How can the Public Safety of our town not be a consideration and not be applicable to an organisation like the cricket club especially when it has asked to be granted a licence to open from 1st April to the end of October?

This is really unprofessional and abhorrent to think that public safety is not a priority for the cricket club. A licence for 7 days a week for alcohol to be served to members and non-members alike and be taken off of the premises.

Not only will increase drinking cause a health issue to those consuming it, consideration and parameters need to be put into place as to what happens when people who may have been drinking all day leave the premise. Where will they go then? To the beach and go for a swim? Will they go and play in the children's play parks? Will they leave shouting, laughing, swearing as they walk away? Will they drive home?

My Mother-in-Law and Grandmother-in-Law now live alone in Granary House since my Father-in-Law died last year and it concerns the family greatly for their safety with increased drinking available for anyone at any time and I know it makes my family feel very vulnerable. I do not know how that can be acceptable for someone to feel so vulnerable in their own home due to lack of consideration from their 'neighbour'.

Another note for concern is the licence as asked for would potentially grant an increase in the number of people (up to 5000 people) allowed to attend an event on any day of the week. This has not been mentioned in the application but found in the small print and this has caused great concern, not just for my family but for other Granary Lane residents who had no idea about this.

What happens to all of these people at an event? How many 'staff' are health and safety trained or first aid trained? Will there be a St Johns Ambulance at every event? Drinking and heat are a deadly combination. What about entering and leaving an event? What about crowd control?

The opening of the club to non-residents is obviously designed to attract more people to increase revenue. This would result in an increase in traffic down both Granary Lane and Stoneborough Lane, neither of which have pavements. The traffic in Granary Lane is already increasing with sat nav, and is extra busy on a Friday night, and more and more vehicles are being damaged.

Vehicles are also speeding up and down the lane which is extremely dangerous, as people step straight out of their properties into the lane, increased traffic will increase the chance of an accident, especially if people are walking up the lane in the dark. What measures would be undertaken and implemented to aid these concerns.

What warnings will the club put in place regarding drinking alcohol and swimming in the sea/river?

3. Prevention of Public Nuisance

The noise can be so great at current events that its impossible to keep the windows open on a hot day / evening let alone sit out in the garden.

To turn the venue into a club would affect so much of the natural habitat. Now whilst I appreciate that the environmental concerns I have for the AONB, SSSI land is not relevant to the Licencing Department I would be concerned as to what affect the detriment of the wildlife, nesting bird etc would have to the towns tourism. The noise and chaos that could arise from the cricket club being a club and having events daily for months on end would surely have an impact. If there is nothing to see in the area then what about all the twitchers and nature lovers that flock to the area and no doubt bring much needed income to the town and its community.

What noise levels would the club be required to adhere to and what equipment would be available to check this before and during events. What's the consequence if these limits are breached and in what time scales?

What is in place for off licence sales in regards to people taking alcohol to either the beach or the common green areas around the club and at the bottom of Granary Lane?

Personally I do not agree with off licence / premises sale of alcohol.

7 days a week until midnight and later is too late and far too much. I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with local residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

The increase in traffic noise on both Granary and Stoneborough would be a public nuisance, especially during the working week until midnight, the same goes for members of the public walking up and down the lane talking and perhaps drunk late at night. Many people in the lane are early risers due to work commitments, and have children and disturbed sleep would definitely be irritating as well as detrimental to everyone's health. A sign outside the club does asking people not leave via granary lane does not work, as many of us know.

Youngsters from the cricket club often trespass into the farmer's field at the end of the cricket club, earlier this year swans were nesting as were other birds, and children were running around screaming and out of control, what would be put in place to stop members and non members doing this in the future?

What are the cricket club plans for parking for non members? Parking in the club is extremely limited and at present some people park their vehicles on double yellow lines near the entrance to the club.

Non members may not wish to pay the Lime Kiln prices and will look for alternatives, which are local roads such as Granary Lane, Vales Road, Swains Road, Otter Vale Road, Estuary View etc all of which are within walking distance of the club.

We already have beach goers sometimes parking in these roads and my concern about this is twofold, this will taking valuable parking spaces from local residents, and also people who are not used to parking in narrow lanes do so with no thought to emergency vehicle access.

Application No: 046819

Premises: Budleigh Salterton Cricket Club

Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

A fire engine was recently not able to get down the lane and had to reverse whilst the firemen had to walk down to the affected property. This is not acceptable as I am sure you would agree, As the club plans to sell alcohol off the premises what will they put in place regarding littering. The recycling stations in the Lyme Kiln carpark are shortly being removed, which means that this facility will no longer be available. If people are purchasing alcohol and drinking it off the premises, it could be that they leave behind rubbish both on the beach and the surrounding areas, such as broken bottles and plastic packaging.

I would like to see the club take on responsibility for any rubbish collection, or have a return policy. This is a area of outstanding natural beauty attached to a triple SSSI site and littering will not only be annoying, but could be dangerous to the wildlife and reduce the number of visitors to the area.

A new all access path will soon be built which runs alongside the cricket club , and at the rear of the Granary Lane properties, what will be put in place to stop inebriated people taking alcohol there and being rowdy at unsociable hours and damaging property?

4. Protection of Children from Harm.

I read that the Cricket Club intend to check ID for those purchasing drinks and that currently only members are allowed to drink there, sadly a number of people I have spoken to know people who regularly get drinks there without being members themselves.

Whilst this is only hearsay and I have no proof other than the spoken word it concerns me that if people can easily obtain drinks now when by rights they shouldn't then what would happen when there are tens, hundreds or thousands of people there?

Who may buy drinks for teenagers who are underage? Who shall and will be able to monitor this? What are the consequences of drunk children (and adults) in the local vicinity?

Secondly if the club becomes in affect an off licence and drinks can be brought and then consumed off premises who's to say that people will not be sitting in the children's play parks drinking or indeed very close by. What potential risk is that to the children who play there, my son being one of those?

There has been no mention by the club about monitoring / limiting the type of drinks that can be consumed off of the premises - will glass bottles be used for example? May they be left in the play parks and skate park to be smashed and cause injury to children / anyone playing there?

As I mentioned earlier I want to support the Cricket Club and see it as a vital part of the community yet not at the detriment to the health and wellbeing of my Mother and Grandmother, the community and the environment.

My 3 ½ year old son stays overnight on a weekly basis and on occasions he is unable to sleep due to the noise until close midnight which is totally unacceptable and detrimental to his health. He is a small child and unable to sleep in a brick house due to noise which is ridiculous to even be in that position in my Mother-in-Laws home.

The addition of a nightclub next to my Mother-in-Laws house I am sure, will greatly reduce the value of her property, which is something of great concern to me for her sake when she has worked all her life to retire and now she is confined to her house through no choice of her own.

The application states that alcohol will be sold to members of the public at the discretion of the committee...what does this actually mean? Who from he committee will be on site during opening times to make that decision, and what is the set criteria?

The club needs to indicate what type of events it will hire the premises for, has a criteria been set. Stag dos, hen parties, live gigs, birthday parties? Where does it end?

In my view they need to be fairly prescriptive with regards to the plans for events.

I would definitely say, no live or outside music after 23:00

No alcohol to be sold or off the premised before 12 noon, unless via a temporary licence for a special occasion

No alcohol to be sold after 22:30...this will only lead to people taking it away to the beach and surrounds I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

I hope that you take this letter seriously and look forward to hearing from you shortly

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Salvatore Sutera
46 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Dear Sir/Madam,
as resident in 46 Granary Lane therefore neighboring the Cricket Club, I strongly object for the Cricket Club to have granted a different licence (i.e. a full licence) of what the Club currently hold.

Prevention of Crime and Disorder

CCTV - would this be installed to monitor the environment and identify any incidents/individuals Security staff to deal with any incidents. Who would be on site? they are talking about large events but have not mentioned how these would be staffed

Who would be available at closing time to ensure customers leave in a timely and correct manner

Direct link to the police regarding any disturbances (not sure if this is possible or normal)

What would be in place for over 18's buying alcohol and distributing outside of the premises

What is in place for outdoor/off licence sales - plastic glasses/bottles.

Public Safety

The opening of the club to non residents is obviously designed to attract more people to increase revenue. This would result in an increase in traffic down both Granary Lane and Stoneborough Lane, neither of which have pavements. The traffic in Granary Lane is already increasing with sat nav, and is extra busy on a Friday night, and more and more vehicles are being damaged. Vehicles are also speeding up and down the lane which is extremely dangerous, as people step straight out of their properties into the lane, increased traffic will increase the chance of an accident, especially if people are walking up the lane in the dark.

What warnings will the club put in place regarding drinking alcohol and swimming in the sea/river? Is a registered first aider (designated person) on site at all times for both the staff and customers.

Prevention of public nuisance

What noise levels would the club be required to adhere to, and what equipment would be available to check this before and during events

What is in place for off licence sales in regards to people taking alcohol to either the beach or the common green areas around the club and at the bottom of Granary Lane.

7 days a week until midnight and later is too late, I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with local residents being informed of any specific events. anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

The increase in traffic noise on both Granary and Stoneborough would be a public nuisance, especially during the working week until midnight, the same goes for members of the public walking up and down the lane talking and perhaps drunk late at night. Many people in the lane are early risers due to work commitments, and disturbed sleep would definitely be irritating!

Youngsters from the cricket club often trespass into the farmer's field at the end of the cricket club, earlier this year swans were nesting as were other birds, and children were running around screaming and out of control..what would be put in place to stop members and non members doing this in the future

What are the cricket club plans for parking for non members..parking in the club is limited and at present some people park their vehicles on double yellow lines near the entrance to the club. Non members may not wish to pay the Lime Kiln prices and will look for alternatives, which are local roads such as Granary Lane, Vales Road, Swains Road, Otter Vale Road, Estuary View etc all of which are within walking distance of the club.

As the club plans to sell alcohol off the premises what will they put in place regarding littering. The recycling stations in the Lyme Kiln carpark are shortly being removed..which means that this facility will no longer be available. If people are purchasing alcohol and drinking it off the premises, it could be that they leave behind rubbish both on the beach and the surrounding areas, such as broken bottles and plastic packaging. This is a area of outstanding natural beauty attached to a triple SSSI site and littering will not only be annoying, but could be dangerous to the wildlife.

A new all access path will soon be built which runs alongside the cricket club, and at the rear of the Granary Lane properties, what will be put in place to stop inebriated people taking alcohol there and being rowdy at unsociable hours

Protection of children from harm

See above regarding off licence sales

I also have concerns about over 18s purchasing alcohol and taking it offsite to near the children's play park.

This is a serious matter that need to be addressed properly. Granting a full licence is a great violation or the peace that govern the relationship between Granary Lane and surrounding residential area and the Cricket Club.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Lynne Jones
60 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Prevention of crime and disorder
Risk of anti-social behaviour with the supply of alcohol on and off the premises from 08:00 to 00:30. The club is in close proximity to the beach, therefore the concern is that alcohol would be purchased throughout the day and taken directly to the seafront. Given the location of the club, would users be tempted to drink and drive after the opportunity to drink throughout the day whilst on the beach?? At the moment, members have to sign in guests, but this new application would effectively turn the club into a pub/nightclub open to all, as the conditions state that alcohol will be supplied to members of the public - no mention of having to be signed in.

Public safety

Extending the opening of this club to non-residents would suggest this would be run as a pub/nightclub and therefore attract considerably more customers. This would result in increased traffic along narrow lanes with no pavement.

If events are to take place with live music, presumably large numbers of people would be attracted to the events - what are the maximum safe numbers within the clubhouse? How many security staff will be employed for large events?

People try to avoid paying the Lime Kiln car park fees. If people park on Granary and Stoneborough Lanes for a large event, how will a Fire Engine or Ambulance get through in an emergency? This has happened already, with cars parked inconsiderately and a Fire Engine unable to get to the premises concerned. We have recently sought the help of Devon County Council and they have placed cones at the bottom of Granary Lane on the double yellow lines to prevent people parking there.

Prevention of public nuisance

I am particularly concerned about the noise level from outdoor events. Whenever there is a one-off event at the club we can hear the music, even inside the house with the windows shut, and we are a considerable distance away. Has a noise impact assessment been undertaken? Do the club have equipment for checking noise levels, particularly if a live band is to be booked? Surely loud outdoor music 7 days a week until midnight creates a public nuisance for residents?

If people are allowed to take alcohol to the beach or on the public grassed areas close to Granary Lane, how will the club ensure no public nuisance issues arise? What will happen about increased litter etc?

Sometimes youngsters from the club events trespass onto the adjoining field. (They disturbed nesting birds earlier this year). This trespassing is likely to increase with extended opening hours.

Cars leaving the club late every night of the week would be a public nuisance - even though there is a sign outside the club, many do not adhere to this, and speed up Granary Lane. Cars have been damaged in the past.

Protection of children from harm

I am concerned that under-age drinking will become easier with increased opening times and alcohol supplied to non-members -- with the added possibility of taking it outside to youngsters. There is a skate park nearby.

My General Concerns

Budleigh Salterton Cricket Club is uniquely located within the AONB at the mouth of the Otter Estuary, adjacent to a public pathway, public car park and a children's playground and in very close proximity to private residences along Granary Lane. The Club currently has limited personnel. I am objecting to the application because I think the Club has overlooked the challenges and understated the risks that it will face in meeting the four licensing objectives.

Prevention of crime and disorder

The Club should provide strong management controls over all staff to implement and enforce the law regarding the sale of alcohol to the general public; they will need to be vigilant in monitoring the premises both indoors and in outside areas to prevent the sale of alcohol to underage people or intoxicated patrons; watching for any disorderly conduct or anti-social behaviour; and any harm to children. Ideally CCTV would be installed, security staff on hand to deal with incidents and to ensure customers leave in a timely and correct manner.

I consider it is unnecessary to serve alcohol for consumption on and off the premises from 08:00. I would like this changed to 11:00 and to be consumed only within the Club boundaries.

Public safety

The Club should monitor the number of people entering and leaving the and ensure that once the maximum occupancy is reached, no further persons are admitted. Personally I think a maximum number for large special events that take place outside should be set at 200. The Club should provide additional signs to request customers leave avoiding Granary Lane at night - a narrow lane with no footpath.

Prevention of public nuisance

No live or outside music after 23:00 and only on Friday, Saturday and Bank Holiday Sundays. I would favour large special events taking place on up to a maximum of 6 times per season.

The Club must control the volume of entertainment taking place at the premises by the installation of a noise limiter.

The Club should serve drinks for consumption in outside areas in plastic or toughened glasses and not permit drinks to be taken beyond the boundaries of Club premises.

The Club must display notices at all exits and in outside areas requesting patrons to behave in an orderly

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

and respectful manner; to avoid causing disturbance to local residents and to leave the premises and the area quickly and quietly, avoiding Granary Lane.

Protection of children from harm

The Club must adopt and enforce a "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification (ID) and to produce it on request by staff if they wish to purchase alcohol.

The Club should display a notice inside the premises by the front door to explain the "Challenge 25" policy to patrons and request their co-operation.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: David Victor Butler
26 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder

Specific risks to the prevention of crime and disorder are: the sale of alcohol to underage people or intoxicated patrons; and anti-social behaviour. Specific control measures required to counter these risks are:

- 1.The Club must display suitable signage outside the premises notifying patrons of the normal hours under the terms of the premises licence during which licensable activities are permitted.
- 2.The Club must educate all staff to be aware of the premises licence, the statutory obligations to meet the four licensing objectives and their legal obligations and social responsibilities regarding the sale of alcohol.
- 3.The Club must provide effective training and strong management controls over all staff to implement and enforce the law regarding the sale of alcohol to the general public; in particular the need for them to be vigilant in monitoring the premises both indoors and in outside areas to prevent the sale of alcohol to underage people or intoxicated patrons; any disorderly conduct or anti-social behaviour; and any harm to children.
- 4.The Club must record all staff training in a Training Log retained on the premises at all times for at least 12 months and made available for inspection on demand by officers of both the EDDC Licensing Authority and the Police.
- 5.The Club must record full details of all occurrences of disorder and refused alcohol sales in an Incident Book retained on the premises at all times for at least 12 months and made available for inspection on demand by officers of both the EDDC Licensing Authority and the Police.

Public safety

Specific risks to public safety are: additional numbers of people entering the Clubhouse attracted by special events or to attend private functions exceed prescribed safety levels for maximum occupancy.

Specific control measures required to counter these risks are:

- 1.The Club must adopt an appropriate and effective method to monitor the number of people entering and leaving the Clubhouse and ensure that once the maximum occupancy is reached, no further persons are admitted.
- 2.The Club must ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.

Prevention of public nuisance

Specific risks to prevention of public nuisance are:

the supply of alcohol for consumption on and off the premises up to 00.30 and the consumption of drinks and food in outside areas;

the performance of dance and playing of live/recorded music (indoors and outdoors) up to midnight each day and the distance which sound can travel across open ground up the Otter Estuary alongside private residences in Granary Lane especially at night; and

the frequency of club music events and bookings for private functions accepted by the Club.

Specific control measures required to counter these risks are:

- 1.The Club must serve drinks for consumption by patrons in outside areas in plastic or toughened glasses and not permit open containers of alcoholic or soft drinks to be taken beyond the outside boundaries of Club premises.
- 2.The Club must provide and manage facilities in outside areas in the immediate vicinity of the Club for the tidy disposal by patrons of bottles, glasses and litter.
- 3.The Club must display prominent, clear and legible notices at all exits and in outside areas requesting patrons to behave in an orderly and respectful manner; to avoid causing disturbance to local residents by not talking loudly in outside areas and, when the Club has closed, to leave the premises and the area quickly and quietly.
- 4.The Club must position and screen any lighting on or outside the premises to avoid causing disturbance to nearby residents.
- 5.The Club must avoid aggravating any disturbances to local residents by restricting the frequency of club music events and bookings for private functions to a reasonable level.
- 6.The Club, and organisers of private functions hosted and authorised by the Club, must control the volume of regulated entertainment taking place at the premises by the installation of a noise limiter.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Protection of children from harm

Specific risks are associated with large numbers of young adults under the age of 18 who visit the club to participate in cricket matches/training and other sporting/recreational activities.

Specific control measures required to counter these risks are:

- 1.The Club must adopt and enforce a "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification (ID) and to produce it on request by staff if they wish to purchase alcohol. The only acceptable form of ID will be Passport, Photo Driving Licence or Government Approved PASS card.
- 2.The Club must display a notice inside the premises by the front door to explain the "Challenge 25" policy to patrons and request their co-operation.
- 3.The Club must educate and train all staff on the implementation and enforcement of the "Challenge 25" policy.

My General Concerns

Budleigh Salterton Cricket Club is uniquely located within an Area of Outstanding Natural Beauty (AONB) at the mouth of the Otter Estuary behind the pebble beach; immediately adjacent to a public pathway, public car park and a children's playground and in very close proximity to private residences along Granary Lane. The Club operates successfully and enjoys a high level of goodwill and support from within the local community. It attracts large numbers of members and their guests who visit the club to participate in cricket matches/training; other sporting/recreational events and social activities. I am a supporter of the Club and of what it is trying to achieve to secure its future. However, like any members club, it has limited human resources relying heavily on a core of key personnel to achieve its aims and to discharge its statutory and social responsibilities.

I am objecting to the application in its present form because I think the brevity of this application and the limited conditions offered by the Club demonstrate that the Club is overlooking the challenges and understating the risks that it will face in meeting the four licensing objectives. Whilst, under the licence, the Club premises will be open for only seven months each year from 1 April to 31 October, given its unique location together with the nature of its community activities and family patrons, I believe the club must do more to protect the interests of its patrons, staff, local residents and visitors than simply offer to accept a few generic conditions.

The Club's licence application appears to be motivated by the need and designed to attract additional patrons from beyond the club membership over opening times extending up to 17 hours per day for seven months of each year with dancing and both live and recorded music events. Inevitably, this will enlarge and change the character of the club's clientele and thereby increase the risks faced by the club in achieving the four licensing objectives. To control these risks I believe that it is reasonable to require the Club to accept the imposition of additional more stringent conditions than the few it has offered to accept so far and which are more appropriate for the premises of what will essentially become the equivalent of a public house.

Changes required to address my concerns

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

As a general condition of its licence the Club should accept that it must satisfy the EDDC licensing authority and/or the Police (by suitable record keeping and periodic inspections) that it maintains sufficient human resource capacity, management capability and staff competence to meet the four licensing objectives by implementing and enforcing the laws regarding the sale of alcohol to the general public.

Prevention of crime and disorder

The Club should accept the five risk control measures as listed in the relevant section above as conditions of its licence.

Public safety

The Club should accept the two risk control measures as listed in the relevant section above as conditions of its licence.

Prevention of public nuisance

The Club should accept the six risk control measures as listed in the relevant section above as conditions of its licence.

Protection of children from harm

The Club should accept the three risk control measures as listed in the relevant section above as conditions of its licence.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: David Johnstone
Flat 7 Mimosa Court, Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Re. Budleigh Salterton Cricket Club Licence application 046819
We object to the granting of this licence which would permit outdoor music up until midnight. Such late night noise disturbance so close to private dwellings much beyond 10:15pm is considered to be unacceptable on a regular basis. Mimosa Court is 130m from the club house and only 100m from the edge of the cricket club ground. Other residential properties are even nearer.
We feel that the existing practice of temporary licence extensions being granted on a case-by-case basis should not change.

Evidence:

Suggestion:

Person making Representation: Catherine Johnstone
Flat 7, Mimosa Court, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Re. Budleigh Salterton Cricket Club Licence application 046819
We object to the granting of this licence which would permit outdoor music up until midnight. Such late night noise disturbance so close to private dwellings much beyond 10:15pm is considered to be unacceptable on a regular basis. Mimosa Court is 130m from the club house and only 100m from the edge of the cricket club ground. Other residential properties are even nearer.
We feel that the existing practice of temporary licence extensions being granted on a case-by-case basis should not change.

Evidence:

Suggestion:

Person making Representation: C D Henderson
Flat 8 Mimosa Court, Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Re: Licensing Hours, Budleigh Salterton Cricket Club.
I have recently learnt of the request for extensive and excessive changes to the Cricket Club's licensing hours.
This request is quite extraordinary, particularly the allowance for outdoor music late at night and the all day provision of alcohol.
Permitting this change would be intolerable and is tantamount to granting the club the right to become a pub and a night club for seven months of the year in close proximity to a residential area of a delightful town.
As a former club cricketer, I fully support local cricket clubs, the encouragement given to young players and specified fund raising and charitable events held at the club. However, these new proposals are completely unacceptable.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: D Tomlinson
Rosewood, 11a Stoneborough Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Re: Budleigh Salterton Cricket Club, Ottermouth Ground, Granary Lane, EX9 GAH

It has come to our notice that an application has been made to the Licensing Authority to conduct licensable activities during the hours of 08:00 to 01:00 Monday to Sunday, with the inclusion of the sale of alcohol and the performance of live music indoors and outdoors during these hours.

My husband and I feel very strongly that this application should not be granted. The noise travels from these premises all up the lane and the surrounding area when they do hold a late event. It is totally unreasonable to subject the neighbourhood to unnecessary noise levels into the early hours. I do wonder who does their 'homework'. Extended drinking hours with music can only lead to one outcome-the upset of the people who live here.

We can only suspect that the police will be called more than they need to due to thoughtless behaviour from the revellers.

Perhaps there could be some compromise, some weekends with a cutoff at a reasonable hour.

Evidence:

Suggestion:

Person making Representation: L Tomlinson
Rosewood, 11a Stoneborough Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Re: Budleigh Salterton Cricket Club, Ottermouth Ground, Granary Lane, EX9 GAH

It has come to our notice that an application has been made to the Licensing Authority to conduct licensable activities during the hours of 08:00 to 01:00 Monday to Sunday, with the inclusion of the sale of alcohol and the performance of live music indoors and outdoors during these hours.

My husband and I feel very strongly that this application should not be granted. The noise travels from these premises all up the lane and the surrounding area when they do hold a late event. It is totally unreasonable to subject the neighbourhood to unnecessary noise levels into the early hours. I do wonder who does their 'homework'. Extended drinking hours with music can only lead to one outcome-the upset of the people who live here.

We can only suspect that the police will be called more than they need to due to thoughtless behaviour from the revellers.

Perhaps there could be some compromise, some weekends with a cutoff at a reasonable hour.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: John Couper
94b Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Dear Sir, I wish to express my strong opposition to Budleigh Cricket Club's application for a full pub licence. As I understand it, this would allow the club to sell alcoholic drinks from 11 a.m. to midnight to members and non-members alike (which can be drunk inside or outside the club) any day from April 1st to the end of October. It also permits indoor and outdoor music until midnight.

My objections are: the music will disturb the sleep of residents living nearby, and local drinkers are likely, when the pubs close at 11 p.m., to continue drinking at the cricket club until midnight, with the strong possibility of noise and anti-social behaviour when they leave, which might include damage to the children's play area, and parties on the beach. There would also be noise from leaving cars, and increased traffic late at night in Granary Lane. More cars would be at the club, (which has only limited parking), and drivers who do not wish to pay the parking fees at Lime Kiln car park may well park in Granary Lane, to the detriment of residents who have no garages or driveways, and who already have difficulty finding parking spaces in the road. It could also adversely affect the wild life in the Otter Valley nature reserve.

Evidence:

Suggestion:

Person making Representation: R I Lawrenson
3 Mimosa Court, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6JC

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Application Ref No. 046819- Budleigh Salterton Cricket Club

1. The application appears to be to try to turn the cricket club into a public house. Therefore it should be ruled by the conditions and times applied to public houses. Other than in the title, there is no mention of cricket in the application, yet it is by name a cricket club. Certainly no reason for change is given for the application. It must be assumed that the club just wants to generate more income from the sale of alcohol. There is a great danger that a good popular local sports facility, which encourages both young and old, will change almost beyond recognition.
2. Concerning crime and disorder, with alcohol on sale from 8am to 30 minutes past midnight, there is bound to be disorder. No matter how the club try to 'police it', the disorder will already have occurred. The order situation will be even worse with sales for consumption both off and on the premises. People with alcohol will move down on to the public car park and the beach, leaving litter all the way. The club say that they 'will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol'. This is far too vague. The staff must be trained and rigorously supervised.
3. Of public safety, the club has a responsibility that their clients leaving the club at all hours, many full of alcohol, will not be a grave danger to others on the highway, be they walking or driving. How will they control this disorder? There is limited space at the club for cars, so they likely will be parked in Granary Lane, which is already well full of cars and has long areas of double yellow lines, which are likely to be ignored.
4. Of public nuisance, the club plans to maintain an incident book. Who will accurately complete details of incidents, at times when club members and staff are fully busy dealing with sales of alcohol. Why is such a book not maintained at present? The greatest public nuisance to local residents is the playing of loud music late at night. It can be clearly heard through double glazing 150 yards away. To extend the present number of days is most definitely not acceptable.
5. Children already frequent the club as youth cricket players. Increases in the sale of alcohol to members and guests all day are bound to affect children, both mentally and physically.

I most strongly recommend that this application not be approved.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: M J Webb
5 Mimosa Court, Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

We live in Granary Lane and were amazed to see the notice of the licence application by Budleigh Salterton Cricket Club, for permission to open for extensive hours seven days a week until 1am for music and entertainment events. The cricket club has been in existence for many years and has been enjoyed as a venue for watching various local teams playing, with only the sound of the ball hitting willow at the peaceful venue of the mouth of the River Otter, where wild birds abound.

The hours suggested mean that the peace of the whole neighbourhood will be shattered between April and October. The area surrounding the Cricket Club is fully residential with no businesses of any sort operating in the vicinity, apart from the hut on the seafront selling ice-cream, drinks and light snacks on fine days. Recently the Cricket Club has held the occasional barbecue and music event usually on Saturday nights. It has been audible all over the area because it is normally such a quiet neighbourhood. Occasionally we hear boy racers in Lime Kiln Car Park late at night and that is further away. Sounds travel over long distance in the silence. Last Saturday there was music until 1am but the noise continued until 2am with people shouting and cars driving noisily up Granary Lane, despite the Cricket Club requesting their members to leave via the sea front.

The lives of hundreds of people in Granary Lane, Otter Vale Road, Stoneborough Lane, Otter Court, Bramble Close, Boucher Road and many other roads in a radius of at least half a mile facing the river, will be disrupted on a regular basis if this licence is allowed. It will become an open air pub by another name in a totally inappropriate setting. This sort of licence would be more suitable in a city centre rather than on the edge of an area of outstanding natural beauty.

Please think very carefully before the atmosphere of the Otter mouth is spoiled for ever. Your licensing objectives are stated as,

- 1) the prevention of crime and disorder (there is very little already, this cannot improve it)
 - 2) public safety (this will make the public far less safe, allowing drinking and extra traffic in very narrow residential lanes)
 - 3) the prevention of public nuisance (noise is a public nuisance)
 - 4) the protection of children from harm (the children who used to go to watch cricket will not be protected by this "entertainment")
- We hope that this licence is refused.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: K A Webb
5 Mimosa Court, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6JC

Representation Accepted: Representation has been accepted

Reason: N/A

Details: We live in Granary Lane and were amazed to see the notice of the licence application by Budleigh Salterton Cricket Club, for permission to open for extensive hours seven days a week until 1am for music and entertainment events. The cricket club has been in existence for many years and has been enjoyed as a venue for watching various local teams playing, with only the sound of the ball hitting willow at the peaceful venue of the mouth of the River Otter, where wild birds abound.
The hours suggested mean that the peace of the whole neighbourhood will be shattered between April and October. The area surrounding the Cricket Club is fully residential with no businesses of any sort operating in the vicinity, apart from the hut on the seafront selling ice-cream, drinks and light snacks on fine days. Recently the Cricket Club has held the occasional barbecue and music event usually on Saturday nights. It has been audible all over the area because it is normally such a quiet neighbourhood. Occasionally we hear boy racers in Lime Kiln Car Park late at night and that is further away. Sounds travel over long distance in the silence. Last Saturday there was music until 1am but the noise continued until 2am with people shouting and cars driving noisily up Granary Lane, despite the Cricket Club requesting their members to leave via the sea front.

The lives of hundreds of people in Granary Lane, Otter Vale Road, Stoneborough Lane, Otter Court, Bramble Close, Boucher Road and many other roads in a radius of at least half a mile facing the river, will be disrupted on a regular basis if this licence is allowed. It will become an open air pub by another name in a totally inappropriate setting. This sort of licence would be more suitable in a city centre rather than on the edge of an area of outstanding natural beauty.

Please think very carefully before the atmosphere of the Otter mouth is spoiled for ever. Your licensing objectives are stated as,

- 1) the prevention of crime and disorder (there is very little already, this cannot improve it)
 - 2) public safety (this will make the public far less safe, allowing drinking and extra traffic in very narrow residential lanes)
 - 3) the prevention of public nuisance (noise is a public nuisance)
 - 4) the protection of children from harm (the children who used to go to watch cricket will not be protected by this "entertainment")
- We hope that this licence is refused.

Evidence:

Suggestion:

Person making Representation: Helen Chandler
18 Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6ES.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Prevention of crime and disorder
Selling alcohol to non-members makes a pub drinking venue not a sports club

Public Safety
Selling alcohol which can be taken off the premises will probably end up on the beach or along the river (glass, plastic, aluminium) who will police the littering?

Prevention of public nuisance
Playing music outdoors is already a nuisance to the neighbours but fortunately is rare under the present license. I object to the extension of hours for both recorded and live music indoors and outdoors.

A license to sell alcohol 16 hours a day, seven days a week seems totally inappropriate in this venue unless it is restricted to members only. Similarly the opportunity to play loud music seven days a week in a residential area and a nature reserve is completely at odds with the environment and would be detrimental to the health of the local community.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Clive Byerley
29 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder
Apart from detailing occurrences in a book nothing is mentioned about action to be taken to deter and social or criminal actions e.g. CCTV

Public Safety
Granary Lane is a narrow lane without pavements. The increase in traffic, if application approved, will be a hazard to public safety. Very little notice is taken of the existing notice at the club exit to avoid turning right into Granary Lane

Prevention of public nuisance
Traffic noise pollution will increase for residents in Granary Lane. I can hear music from existing events held at the club and this will increase especially if it can be performed outside the premises.

Protection of children harm
The club premises are close to a children's playground. This could represent a risk to children especially in view of the very lengthy licensing hours requested.

I believe that the club should be context with its existing license and make application for extensions, if necessary, and when required. It is, after all, a cricket club, which is fortunate to be situated in a area of outstanding natural beauty - why spoil it.

Evidence:

Suggestion:

Person making Representation: Cherry Byerley
29 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder
No details given for deterring crime or criminal activity. I.e. CCTV and the deterring of antisocial behaviour along with rubbish bottles glasses collection.

Public Safety
As these premises are in Granary Lane which is far too narrow for any increased traffic the safety of all who live in the lane will be at risk i.e. for emergency vehicles (fire ambulance and police) no pavements exist so there is only the road for residents.

Prevention of public nuisance
Noise from music and increase in traffic at any time but at night when people should be sleeping this will cause distress.

Protection of children from harm
The club is right next to a children's playground therefore they will be exposed to increased traffic and the extended licensing hours which appear to be all day and half of the night.

I feel that as a cricket club the hours should be in that context and any special occasions in the cricket calendar could be applied for ad hoc and not carte blanche. We must also mention disruption to the wildlife which is in close proximity.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Rosemary Baker
66a Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder
I am concerned about the much longer opening times for licensable activities from 8 AM-1 AM Monday to Sunday 1st April-31 Oct. Alcohol and crime are often linked and especially dangerous to car drivers. Parking may well be a cause of danger.

Public Safety
I am worried about Public Safety with people drinking through such long hours. Will they be noisy and aggressive, will they leave broken bottles in the children's play park and on the beach will there be safety issues about swimming.

Prevention of public nuisance
I'm certainly anxious about the noise of people after several drinks, Granary Lane is narrow with no pavements and I am anxious about the noise of people walking along the lane and or driving cars in a dangerous way.

Protection of children from harm
Children can easily be adversely affected by alcohol either directly or indirectly, will there be checks in place to monitor the sale of alcohol from 8 AM-1 AM and supervise underage teenagers who may be tempted to get older teenagers to buy drinks for them.

I would like to see shorter hours for selling alcohol, a restriction on the number of events per annum when possibly a temporary license could be arranged. Maybe weekends and say 9 events a year I would also suggest a curfew on noise levels, especially outside, say 2300. Parking could be an issue, is there any possibility of providing more carpark space at the cricket club to avoid occupying space on the lane where there are severe limitations

Evidence:

Suggestion:

Person making Representation: Teresa L Cooke
48 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder
We already have boy racers in the lime kiln car park now they will have easy access to alcohol nearby. Who will clear up the mess every day. Can we have CCTV in the car park. This is a beautiful area that should be protected.

Public Safety
Speeding cars already an issue and busy venue would only increase risk.

Prevention of public nuisance
I hear the music but I'm prepared to use earplugs for two evenings a week as I support the club and have been a member but not every night. Partygoers can be very loud to. This is a residential area

Protection of children from harm
Increased traffic and possible drunks obvious concerns with a playpark nearby.

No alcohol to be sold on or off the premises before 11:30 AM-unless temporary license. No alcohol to be sold after 2230 no live or outside music after 2300. I would agree to Friday, Saturday and bank holidays plus 6 occasions per annum with a maximum of 500 people with residents having advance notice of dates. Anything above 500 or in excess of the six occasions would need a temporary license. As they have never used the allotted Max for temporary licenses why I'll be applying for an extension? Run some large fundraising event and invite the community to help we value the club and want to see it thrive not become another pub or nuisance. Why didn't the club consult residents?

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Keith Baker
66a Granary LANE, BUDLEIGH SALTERTON, Devon, EX9.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Prevention of crime and disorder
The availability of alcohol for such long periods will encourage crime and disorder.

Public Safety
Granary Lane is part of the National Cycle Network. Increased vehicle traffic on such narrow roads will increase the risk of accidents especially where there are no pavements and poor lighting.

Prevention of Public Nuisance
The small size of the clubhouse will cause most functions to be held outside. The noise of the participants and loud music will be an unfair intrusion for neighbouring households

Protection of Children from Harm
Children may easily be effected by any of the risks above.

More comments
Revert to the previous restricted arrangements

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Victoria Hayman
31 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Specific risks to the prevention of crime and disorder are: the sale of alcohol to underage people or intoxicated patrons; and anti-social behaviour. Specific control measures required to counter these risks are:

- 1.The Club must display suitable signage outside the premises notifying patrons of the normal hours under the terms of the premises licence during which licensable activities are permitted.
- 2.The Club must educate all staff to be aware of the premises licence, the statutory obligations to meet the four licensing objectives and their legal obligations and social responsibilities regarding the sale of alcohol.
- 3.The Club must provide effective training and strong management controls over all staff to implement and enforce the law regarding the sale of alcohol to the general public; in particular the need for them to be vigilant in monitoring the premises both indoors and in outside areas to prevent the sale of alcohol to underage people or intoxicated patrons; any disorderly conduct or anti-social behaviour; and any harm to children.
- 4.The Club must record all staff training in a Training Log retained on the premises at all times for at least 12 months and made available for inspection on demand by officers of both the EDDC Licensing Authority and the Police.
- 5.The Club must record full details of all occurrences of disorder and refused alcohol sales in an Incident Book retained on the premises at all times for at least 12 months and made available for inspection on demand by officers of both the EDDC Licensing Authority and the Police.

Public Safety

Specific risks to public safety are: additional numbers of people entering the Clubhouse attracted by special events or to attend private functions exceed prescribed safety levels for maximum occupancy.

Specific control measures required to counter these risks are:

- 1.The Club must adopt an appropriate and effective method to monitor the number of people entering and leaving the Clubhouse and ensure that once the maximum occupancy is reached, no further persons are admitted.
- 2.The Club must ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.

Prevention of public nuisance

Specific risks to prevention of public nuisance are:

- o the supply of alcohol for consumption on and off the premises up to 00.30 and the consumption of drinks and food in outside areas;
- o the performance of dance and playing of live/recorded music (indoors and outdoors) up to midnight each day and the distance which sound can travel across open ground up the Otter Estuary alongside private residences in Granary Lane especially at night; and
- o the frequency of club music events and bookings for private functions accepted by the Club.

Specific control measures required to counter these risks are:

- The Club must serve drinks for consumption by patrons in outside areas in plastic or toughened glasses and not permit open containers of alcoholic or soft drinks to be taken beyond the outside boundaries of Club premises.
2. The Club must provide and manage facilities in outside areas in the immediate vicinity of the Club for the tidy disposal by patrons of bottles, glasses and litter.
 3. The Club must display prominent, clear and legible notices at all exits and in outside areas requesting patrons to behave in an orderly and respectful manner; to avoid causing disturbance to local residents by not talking loudly in outside areas and, when the Club has closed, to leave the premises and the area quickly and quietly.
 - 4.The Club must position and screen any lighting on or outside the premises to avoid causing disturbance to nearby residents.
 5. The Club must avoid aggravating any disturbances to local residents by restricting the frequency of club music events and bookings for private functions to a reasonable level.
 6. The Club, and organisers of private functions hosted and authorised by the Club, must control the volume of regulated entertainment taking place at the premises by the installation of a noise limiter.

Protection of children from harm

Specific risks are associated with large numbers of young adults under the age of 18 who visit the club to

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

participate in cricket matches/training and other sporting/recreational activities.

Specific control measures required to counter these risks are:

1. The Club must adopt and enforce a "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification (ID) and to produce it on request by staff if they wish to purchase alcohol. The only acceptable form of ID will be Passport, Photo Driving Licence or Government Approved PASS card.
2. The Club must display a notice inside the premises by the front door to explain the "Challenge 25" policy to patrons and request their co-operation.
3. The Club must educate and train all staff on the implementation and enforcement of the "Challenge 25" policy

My general concerns

Budleigh Salterton Cricket Club is uniquely located within an Area of Outstanding Natural Beauty (AONB) at the mouth of the Otter Estuary behind the pebble beach; immediately adjacent to a public pathway, your public car park and a children's playground and in very close proximity to private residences along Granary Lane. The Club operates successfully and enjoys a high level of goodwill and support from within the local community. It attracts large numbers of members and their guests who visit the club to participate in cricket matches/training, other sporting/recreational events and social activities. I am a supporter of the Club and of what it is trying to achieve to secure its future. However, like any members club, it has limited human resources relying heavily on a core of key personnel to achieve its aims and to discharge its statutory and social responsibilities.

I am objecting to the application in its present form because I think the brevity of this application and the limited conditions offered by the Club demonstrate that the Club is overlooking the challenges and understating the risks that it will face in meeting the four licensing objectives. Whilst, under the licence, the Club premises will be open for only seven months each year from 1 April to 31 October, given its unique location together with the nature of its community activities and family patrons, I believe the club must do more to protect the interests of its patrons, staff, local residents and visitors than simply offer to accept a few generic conditions.

The Club's licence application appears to be motivated by the need and designed to attract additional patrons from beyond the club membership over opening times extending up to 17 hours per day for seven months of each year with dancing and both live and recorded music events. Inevitably, this will enlarge and change the character of the club's clientele and thereby increase the risks faced by the club in achieving the four licensing objectives. To control these risks I believe that it is reasonable to require the Club to accept the imposition of additional more stringent conditions than the few it has offered to accept so far and which are more appropriate for the premises of what will essentially become the equivalent of a public house.

Changes required to address my concerns General - all four licensing objectives (b,c,d,e)

As a general condition of its licence the Club should accept that it must satisfy the EDDC licensing authority and/or the Police (by suitable record keeping and periodic inspections) that it maintains sufficient human resource capacity, management capability and staff competence to meet the four licensing objectives by implementing and enforcing the laws regarding the sale of alcohol to the general public.

Prevention of crime and disorder

The Club should accept the five risk control measures as listed in the relevant section above as conditions of its licence.

Public safety

The Club should accept the two risk control measures as listed in the relevant section above as conditions of its licence.

Prevention of public nuisance

The Club should accept the six risk control measures as listed in the relevant section above as conditions of its licence.

Protection of children from harm

The Club should accept the three risk control measures as listed in the relevant section above as conditions of its licence.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Richard John Hayman
31 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Specific risks to the prevention of crime and disorder are: the sale of alcohol to underage people or intoxicated patrons; and anti-social behaviour. Specific control measures required to counter these risks are:

- 1.The Club must display suitable signage outside the premises notifying patrons of the normal hours under the terms of the premises licence during which licensable activities are permitted.
- 2.The Club must educate all staff to be aware of the premises licence, the statutory obligations to meet the four licensing objectives and their legal obligations and social responsibilities regarding the sale of alcohol.
- 3.The Club must provide effective training and strong management controls over all staff to implement and enforce the law regarding the sale of alcohol to the general public; in particular the need for them to be vigilant in monitoring the premises both indoors and in outside areas to prevent the sale of alcohol to underage people or intoxicated patrons; any disorderly conduct or anti-social behaviour; and any harm to children.
- 4.The Club must record all staff training in a Training Log retained on the premises at all times for at least 12 months and made available for inspection on demand by officers of both the EDDC Licensing Authority and the Police.
- 5.The Club must record full details of all occurrences of disorder and refused alcohol sales in an Incident Book retained on the premises at all times for at least 12 months and made available for inspection on demand by officers of both the EDDC Licensing Authority and the Police.

Public Safety

Specific risks to public safety are: additional numbers of people entering the Clubhouse attracted by special events or to attend private functions exceed prescribed safety levels for maximum occupancy.

Specific control measures required to counter these risks are:

- 1.The Club must adopt an appropriate and effective method to monitor the number of people entering and leaving the Clubhouse and ensure that once the maximum occupancy is reached, no further persons are admitted.
- 2.The Club must ensure that all staff receive appropriate training about emergency and general safety precautions and procedures.

Prevention of public nuisance

Specific risks to prevention of public nuisance are:

- o the supply of alcohol for consumption on and off the premises up to 00.30 and the consumption of drinks and food in outside areas;
- o the performance of dance and playing of live/recorded music (indoors and outdoors) up to midnight each day and the distance which sound can travel across open ground up the Otter Estuary alongside private residences in Granary Lane especially at night; and
- o the frequency of club music events and bookings for private functions accepted by the Club.

Specific control measures required to counter these risks are:

The Club must serve drinks for consumption by patrons in outside areas in plastic or toughened glasses and not permit open containers of alcoholic or soft drinks to be taken beyond the outside boundaries of Club premises.

2. The Club must provide and manage facilities in outside areas in the immediate vicinity of the Club for the tidy disposal by patrons of bottles, glasses and litter.
3. The Club must display prominent, clear and legible notices at all exits and in outside areas requesting patrons to behave in an orderly and respectful manner; to avoid causing disturbance to local residents by not talking loudly in outside areas and, when the Club has closed, to leave the premises and the area quickly and quietly.
- 4.The Club must position and screen any lighting on or outside the premises to avoid causing disturbance to nearby residents.
5. The Club must avoid aggravating any disturbances to local residents by restricting the frequency of club music events and bookings for private functions to a reasonable level.
6. The Club, and organisers of private functions hosted and authorised by the Club, must control the volume of regulated entertainment taking place at the premises by the installation of a noise limiter.

Protection of children from harm

Specific risks are associated with large numbers of young adults under the age of 18 who visit the club to

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

participate in cricket matches/training and other sporting/recreational activities.

Specific control measures required to counter these risks are:

1. The Club must adopt and enforce a "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification (ID) and to produce it on request by staff if they wish to purchase alcohol. The only acceptable form of ID will be Passport, Photo Driving Licence or Government Approved PASS card.
2. The Club must display a notice inside the premises by the front door to explain the "Challenge 25" policy to patrons and request their co-operation.
3. The Club must educate and train all staff on the implementation and enforcement of the "Challenge 25" policy

My general concerns

Budleigh Salterton Cricket Club is uniquely located within an Area of Outstanding Natural Beauty (AONB) at the mouth of the Otter Estuary behind the pebble beach; immediately adjacent to a public pathway, your public car park and a children's playground and in very close proximity to private residences along Granary Lane. The Club operates successfully and enjoys a high level of goodwill and support from within the local community. It attracts large numbers of members and their guests who visit the club to participate in cricket matches/training; other sporting/recreational events and social activities. I am a supporter of the Club and of what it is trying to achieve to secure its future. However, like any members club, it has limited human resources relying heavily on a core of key personnel to achieve its aims and to discharge its statutory and social responsibilities.

I am objecting to the application in its present form because I think the brevity of this application and the limited conditions offered by the Club demonstrate that the Club is overlooking the challenges and understating the risks that it will face in meeting the four licensing objectives. Whilst, under the licence, the Club premises will be open for only seven months each year from 1 April to 31 October, given its unique location together with the nature of its community activities and family patrons, I believe the club must do more to protect the interests of its patrons, staff, local residents and visitors than simply offer to accept a few generic conditions.

The Club's licence application appears to be motivated by the need and designed to attract additional patrons from beyond the club membership over opening times extending up to 17 hours per day for seven months of each year with dancing and both live and recorded music events. Inevitably, this will enlarge and change the character of the club's clientele and thereby increase the risks faced by the club in achieving the four licensing objectives. To control these risks I believe that it is reasonable to require the Club to accept the imposition of additional more stringent conditions than the few it has offered to accept so far and which are more appropriate for the premises of what will essentially become the equivalent of a public house.

Changes required to address my concerns General - all four licensing objectives (b,c,d,e)

As a general condition of its licence the Club should accept that it must satisfy the EDDC licensing authority and/or the Police (by suitable record keeping and periodic inspections) that it maintains sufficient human resource capacity, management capability and staff competence to meet the four licensing objectives by implementing and enforcing the laws regarding the sale of alcohol to the general public.

Prevention of crime and disorder

The Club should accept the five risk control measures as listed in the relevant section above as conditions of its licence.

Public safety

The Club should accept the two risk control measures as listed in the relevant section above as conditions of its licence.

Prevention of public nuisance

The Club should accept the six risk control measures as listed in the relevant section above as conditions of its licence.

Protection of children from harm

The Club should accept the three risk control measures as listed in the relevant section above as conditions of its licence.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: John Stuart Yerrell
51 Granary Lane, Budleigh Salterton, Devon, EX9 6EP.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: I am writing to object to the Premises Licence Application being made by the Budleigh Salterton Cricket Club, Reference No 046819.

My main objection comes under the heading of Prevention of Public Nuisance. There will be noise and music from the venue itself at anti-social hours, and there will be noisy traffic using Granary Lane, again at anti-social hours.

The proposal to have what could become a low-grade nightclub in this peaceful part of Budleigh Salterton should be rejected.

Evidence:

Suggestion:

Person making Representation: Christopher Seale
18 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Prevention of crime and disorder
The sale of alcohol to the general public constitutes a change of use. Is it a club or is it a pub? There is already joy-riding in lime kiln car park, each W/E. This will increase!

Public Safety
According to the application, Public Safety is N/A. How can that be? Broken glass and bottles, increased traffic on local narrow lanes.

Prevention of public nuisance
Noise: live or recorded music travels up and down and across the valley. Potentially seven days a week. Along with increased traffic, litter especially as big litter bins in car park are being removed. Drunkenness

Protection of children from harm
See all of above

Deal with the following issues
1 this a massive extension of the current license in terms of loud music and the serving of alcohol, seven days a week.
2 this is a residential and conservation area and there has been no consultation with residents of Granary Lane or elsewhere as far as I know.
3 Application lacks detail, e.g. will Alcohol outside be served in glasses? How can public safety - not be applicable?
4 Meaningless statements, e.g. alcohol will only be served to club members and members of the public at the discretion of the committee, will the committee be on duty at all times.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Katie Arscott
8 Coplestone Road, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Ref: Representation against Budleigh Salterton Cricket Club Premises Licence Application - Reference No. 046819

To Whom It May Concern:

I am writing to object to Budleigh Salterton's Cricket Club Premises Licence Application in its current form.

I do not live close to the Cricket Club, but my Mother and Grandmother live right next to it and I know that they are continuously affected by the noise from the music on many occasions and especially when the club holds events. I visit them many times a week and am shocked at how noisy the Cricket Club can be when I visit.

I know that at times they are unable to rest or sleep with their windows open during the peak of the noise, which I find most distressing and notice how damaging this can be as is being to their health and wellbeing and can also see how this affects my Mother emotionally and mentally. The noise on many occasions prevents them from opening their patio doors, sitting on their balcony or enjoying their garden, which is absurd. My family did not buy a retirement home in Budleigh Salterton, near the sea, an area of ANOB and SSSI Status for a fantastic quality of life to stay confined within its 4 walls!

The thought of longer opening hours, 7 days a week with limited or no restrictions with the additional goings on, the parties, the noise and the events is almost too much to bear for my family. To turn the Cricket Club into a nightclub would be devastating to the environment, the local residents and I believe a negative impact on our beautiful town.

I wish for it to be noted that I love the Cricket Club. I love to watch the cricket out of my Mums kitchen window especially with my 3 ½ year old son and we've talked about how exciting it shall be for him to join when he's a little older, the cricket itself is not noisy and is really pleasant.

I want to support the Club and encourage it to thrive and survive, as I believe it is a great asset to our town but do not believe that increasing the hours it opens and the amount of alcohol it serves is the most effective way to increase revenue and support it.

The Cricket Club have said that they have consulted with local residents about the licence application and that it is not going to affect the way it currently operates but I question this as if this is the case why are they applying for a full licence rather than temporary licenses (where they can have 15 additional events a year, a process which by all accounts I've been told, is cost effective and easy to do).

As I mentioned earlier my Mother is the closest to the club and no one has been kind enough or considerate enough to knock on our door and talk to us about it. There was no public consultation, no invitation to the club to discuss the possibilities and having spoken with a number of friends / Mums Neighbours on Granary Lane have told me that they haven't heard from anyone either.

A few residents have contacted the club directly trying to get some answers but I know I speak for many Granary Lane residents when I say we are in the dark and have lots of unanswered questions causing great distress.

I do not trust the Cricket Club to do the right thing by its neighbours, they have already said that they have consulted their neighbours when clearly they haven't.

Last year over the August Bank Holiday weekend my Father lay dying in his home, in his bedroom after a 4-year battle with cancer. I was with him and my Mother for days 24/7 and over the course of the weekend while he slipped into a coma the music, noise and general disruption from the Cricket Club was completely unbearable and on 3 separate occasions family friends, who incidentally are also members of the club, went to the club and asked them if they could please turn the music down a little and be considerate of their immediate neighbour who was dying.

The fact that people went on 3 separate occasions shows the lack of compassion and respect for someone in their final hours and days of life let alone someone who was their closest neighbour. Despite the requests no adjustments were made to the volume and disruption. I appreciate that this was a unique situation and one that was extremely distressing in its own right, but I ask you to consider if the club can not show respect and compassion in such an extreme case then why would they on a normal Monday to Sunday any time of day between April to October? This lack of humanity is alien to me and only causes me greater concern for both my Mother and Grandmother.

1. Prevention of Crime and Disorder

The licence that the club has applied for could turn the cricket club into a nightclub. What provision has been considered for firstly the amount of people the venue could then hold? If there are up to 5000 people able to attend an event there that puts an enormous drain on the local police force.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

How is this going to be managed? Where are they all going to park? Increased traffic to an already congested small area could cause disorder on the roads as well as damage to residents' cars parking along Granary Lane.

Have the club considered bouncers? What would the ratio be of bouncers / security to member of the public? Who is going to guarantee the safety of the residents in the area? What happens when everyone wants to leave?

What traffic routes / plans shall be put in place to ensure there is not disorder and everything runs smoothly?

What is the likelihood of crime in the area increasing with increased numbers of people and an increased number of people who have been drinking.

There are so many questions which need answering.

Considerations could be:

CCTV - could this be installed to monitor the environment and identify any incidents/individuals?

Security staff to deal with any incidents

A designated resident spokesperson and Cricket Club member to discuss all potential events and consequences openly and honestly.

Someone (or a number of people dependant of the number of public people) designated to be available at closing time to ensure customers leave in a timely and correct manner and in the right way as its evident the current signage does not work.

Direct link to the police regarding any disturbances (not sure if this is possible or normal)

Some rules would need to be in place for over 18's buying alcohol

NO alcohol to be taken off of the premises at any time.

Consideration for only plastic glasses/bottles - to conserve the environment but also the children's areas nearby

2. Public Safety

I noticed when reading the Cricket Clubs application under this heading they had noted - N/A!!

How can the Public Safety of our town not be a consideration and not be applicable to an organisation like the cricket club especially when it has asked to be granted a licence to open from 1st April to the end of October?

This is really unprofessional and abhorrent to think that public safety is not a priority for the cricket club. A licence for 7 days a week for alcohol to be served to members and non-members alike and be taken off of the premises.

Not only will increase drinking cause a health issue to those consuming it, consideration and parameters need to be put into place as to what happens when people who may have been drinking all day leave the premise. Where will they go then? To the beach and go for a swim? Will they go and play in the children's play parks? Will they leave shouting, laughing, swearing as they walk away? Will they drive home?

My Mother and Grandmother now live alone in Granary House since my Father died last year and it concerns me greatly for their safety with increased drinking available for anyone at any time and I know it makes my Mother and Grandmother feel very vulnerable and I do not know how that can be acceptable for someone to feel so vulnerable in their own home due to lack of consideration from their 'neighbour'.

Another note for concern is the licence as asked for would potentially grant an increase in the number of people (up to 5000 people) allowed to attend an event on any day of the week. This has not been mentioned in the application but found in the small print and this has caused great concern, not just for me and my family but for other Granary Lane residents who had no idea about this.

What happens to all of these people at an event? How many 'staff' are health and safety trained or first aid trained? Will there be a St Johns Ambulance at every event? Drinking and heat are a deadly combination. What about entering and leaving an event? What about crowd control?

The opening of the club to non-residents is obviously designed to attract more people to increase revenue. This would result in an increase in traffic down both Granary Lane and Stoneborough Lane, neither of which have pavements. The traffic in Granary Lane is already increasing with sat nav, and is extra busy on a Friday night, and more and more vehicles are being damaged.

Vehicles are also speeding up and down the lane which is extremely dangerous, as people step straight out of their properties into the lane, increased traffic will increase the chance of an accident, especially if people are walking up the lane in the dark. What measures would be undertaken and implemented to aid these concerns.

What warnings will the club put in place regarding drinking alcohol and swimming in the sea/river?

3. Prevention of Public Nuisance

The noise can be so great at current events that its impossible to keep the windows open on a hot day / evening let alone sit out in the garden.

Application No: 046819

Premises: Budleigh Salterton Cricket Club

Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

To turn the venue into a club would affect so much of the natural habitat. Now whilst I appreciate that the environmental concerns I have for the AONB, SSSI land is not relevant to the Licencing Department I would be concerned as to what affect the detriment of the wildlife, nesting bird etc would have to the towns tourism. The noise and chaos that could arise from the cricket club being a club and having events daily for months on end would surely have an impact. If there is nothing to see in the area then what about all the twitchers and nature lovers that flock to the area and no doubt bring much needed income to the town and its community.

What noise levels would the club be required to adhere to and what equipment would be available to check this before and during events. What's the consequence if these limits are breached and in what time scales?

What is in place for off licence sales in regards to people taking alcohol to either the beach or the common green areas around the club and at the bottom of Granary Lane?

Personally I do not agree with off licence / premises sale of alcohol.

7 days a week until midnight and later is too late and far too much. I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with local residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

The increase in traffic noise on both Granary and Stoneborough would be a public nuisance, especially during the working week until midnight, the same goes for members of the public walking up and down the lane talking and perhaps drunk late at night. Many people in the lane are early risers due to work commitments, and have children and disturbed sleep would definitely be irritating as well as detrimental to everyone's health. A sign outside the club does asking people not leave via granary lane does not work, as many of us know.

Youngsters from the cricket club often trespass into the farmer's field at the end of the cricket club, earlier this year swans were nesting as were other birds, and children were running around screaming and out of control, what would be put in place to stop members and non members doing this in the future?

What are the cricket club plans for parking for non members? Parking in the club is extremely limited and at present some people park their vehicles on double yellow lines near the entrance to the club.

Non members may not wish to pay the Lime Kiln prices and will look for alternatives, which are local roads such as Granary Lane, Vales Road, Swains Road, Otter Vale Road, Estuary View etc all of which are within walking distance of the club.

We already have beach goers sometimes parking in these roads and my concern about this is twofold, this will taking valuable parking spaces from local residents, and also people who are not used to parking in narrow lanes do so with no thought to emergency vehicle access.

A fire engine was recently not able to get down the lane and had to reverse whilst the firemen had to walk down to the affected property. This is not acceptable as I am sure you would agree,

As the club plans to sell alcohol off the premises what will they put in place regarding littering. The recycling stations in the Lyme Kiln carpark are shortly being removed, which means that this facility will no longer be available. If people are purchasing alcohol and drinking it off the premises, it could be that they leave behind rubbish both on the beach and the surrounding areas, such as broken bottles and plastic packaging.

I would like to see the club take on responsibility for any rubbish collection, or have a return policy. This is a area of outstanding natural beauty attached to a triple SSSI site and littering will not only be annoying, but could be dangerous to the wildlife and reduce the number of visitors to the area.

A new all access path will soon be built which runs alongside the cricket club, and at the rear of the Granary Lane properties, what will be put in place to stop inebriated people taking alcohol there and being rowdy at unsociable hours and damaging property?

4. Protection of Children from Harm.

I read that the Cricket Club intend to check ID for those purchasing drinks and that currently only members are allowed to drink there, sadly a number of people I have spoken to know people who regularly get drinks there without being members themselves.

Whilst this is only hearsay and I have no proof other than the spoken word it concerns me that if people can easily obtain drinks now when by rights they shouldn't then what would happen when there are tens, hundreds or thousands of people there?

Who may buy drinks for teenagers who are underage? Who shall and will be able to monitor this? What are the consequences of drunk children (and adults) in the local vicinity?

Secondly if the club becomes in affect an off licence and drinks can be brought and then consumed off premises who's to say that people will not be sitting in the children's play parks drinking or indeed very close by. What potential risk is that to the children who play there, my son being one of those?

There has been no mention by the club about monitoring / limiting the type of drinks that can be consumed

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

off of the premises - will glass bottles be used for example? May they be left in the play parks and skate park to be smashed and cause injury to children / anyone playing there?

As I mentioned earlier I want to support the Cricket Club and see it as a vital part of the community yet not at the detriment to the health and wellbeing of my Mother and Grandmother, the community and the environment.

My 3 ½ year old son also stays overnight on a weekly basis and on occasions he is unable to sleep due to the noise until close midnight which is totally unacceptable and detrimental to his health. He is a small child and unable to sleep in a brick house due to noise which is ridiculous to even be in that position in my Mother's home.

The addition of a nightclub next to my Mothers house I am sure, will greatly reduce the value of her property, which is something of great concern to me for her sake when she has worked all her life to retire and now she is confined to her house through no choice of her own.

The application states that alcohol will be sold to members of the public at the discretion of the committee...what does this actually mean? Who from the committee will be on site during opening times to make that decision, and what is the set criteria?

The club needs to indicate what type of events it will hire the premises for, has a criteria been set. Stag dos, hen parties, live gigs, birthday parties? Where does it end?

In my view they need to be fairly prescriptive with regards to the plans for events.

I would definitely say, no live or outside music after 23:00

No alcohol to be sold on or off the premises before 12 noon, unless via a temporary licence for a special occasion

No alcohol to be sold after 22:30...this will only lead to people taking it away to the beach and surrounds

I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

I hope that you take this letter seriously and look forward to hearing from you shortly.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Marjorie Bishop
Granary House, Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details:

Ref: Representation against Budleigh Salterton Cricket Club Premises Licence

Application - Reference No. 046819

To Whom It May Concern:

I am writing to object to Budleigh Salterton's Cricket Club Premises Licence Application in its current form. Being one of the closet residents to the Cricket Club I am continuously affected by the noise from the music when the club holds events.

I am 93 years old and am unable to rest or sleep with my windows open during the peak of the noise, which I find most distressing and damaging to my health and wellbeing. To imagine longer opening hours, 7 days a week with limited or no restrictions with the goings on there doesn't bear thinking about. To turn the Cricket Club into a nightclub would be devastating to the environment, the local residents and I believe a negative impact on our beautiful town.

I wish for it to be noted that I love the Cricket Club and want to support it and encourage it to thrive and survive as I believe it is a great asset to our town but do not believe that increasing the hours it opens and the amount of alcohol it serves is the most effective way to increase revenue and support it.

The Cricket Club have said that they have consulted with local residents about the licence application and that it is not going to affect the way it currently operates but I question this as if this is the case why are they applying for a full licence rather than temporary licenses (where they can have 15 additional events a year, a process which by all accounts I've been told, is cost effective and easy to do). As I mentioned earlier my daughter and I are the closest to the club and no one has been kind enough or considerate enough to knock on our door and talk to us about it. There was no public consultation, no invitation to the club to discuss the possibilities and having spoken with a number of friends on Granary Lane have told me that they haven't heard from anyone either.

A few residents have contacted the club directly trying to get some answers but I know I speak for many Granary Lane residents when I say we are in the dark and have lots of unanswered questions causing great distress.

I do not trust the Cricket Club to do the right thing by its neighbours, they have already said that they have consulted their neighbours when clearly they haven't.

Last year over the Bank Holiday weekend my son in law lay dying in his house, in his bedroom after a 4 year battle with cancer. Over the course of the weekend while he slipped into a coma the music, noise and general disruption from the Cricket Club was completely unbearable and on 3 separate occasions family friends, who incidentally are also members of the club, went to the club and asked them if they could please turn the music down a little and be considerate of their immediate neighbour who was dying. The fact that people went on 3 separate occasions shows the lack of compassion and respect for someone in their final hours and days of life let alone someone who was their closest neighbour. Despite the requests no adjustments were made to the volume and disruption. I

appreciate that this was a unique situation and one that was extremely distressing in its own right, but I ask you to consider if the club cannot show respect and compassion in such an extreme case then why would they on a normal Monday to Sunday any time of day between April to October?

1. Prevention of Crime and Disorder

The licence that the club has applied for could turn the cricket club into a nightclub.

What provision has been considered for firstly the amount of people the venue could then hold? If there are up to 5000 people able to attend an event there that puts an enormous drain on the local police force. How is this going to be managed? Where are they all going to park? Increased traffic to an already congested small area could cause disorder on the roads as well as damage to residents' cars parking along Granary Lane. Have the club considered bouncers? What would the ratio be of bouncers / security to member of the public? Who is going to guarantee the safety of the residents in the area? What happens when everyone wants to leave? What traffic routes / plans shall be put in place to ensure there is not disorder and everything runs smoothly? What is the likelihood of crime in the area increasing with increased numbers of people and an increased number of people who have been drinking. There are so many questions which need answering.

Considerations could be:

CCTV - could this be installed to monitor the environment and identify any incidents/individuals?

Security staff to deal with any incidents

A designated resident spokesperson and Cricket Club member to discuss all potential events and consequences openly and honestly.

Someone (or a number of people dependant of the number of public people) designated to be available at closing time to ensure customers leave in a timely and correct manner and in the right way as its evident the current signage does not work.

Direct link to the police regarding any disturbances (not sure if this is possible or normal)

Some rules would need to be in place for over 18's buying alcohol

NO alcohol to be taken off of the premises at any time.

Consideration for only plastic glasses/bottles to conserve the environment but also the children's areas nearby.

2. Public Safety

I noticed when reading the Cricket Clubs application under this heading they had noted - N/A
How can the Public Safety of our town not be a consideration and not be applicable to an organisation like the cricket club especially when it has asked to be granted a licence to open from 1st April to the end of October? This is really unprofessional and abhorrent to think that public safety is not a priority for the cricket club. A licence for 7 days a week for alcohol to be served to members and non-members alike and be taken off of the premises. Not only will increase drinking cause a health issue to those consuming it, consideration and parameters need to be put into place as to what happens when people who may have been drinking all day leave the premise.
Where will they go then? To the beach and go for a swim? Will they go and play in the children's play parks? Will they leave shouting, laughing, swearing as they walk away? Will they drive home?

My daughter and I live alone in Granary House since my Son in Law died last year and it concerns me greatly for our safety with increased drinking available for anyone at any time and it makes me feel very vulnerable and I know my daughter feels the same.
Another note for concern is the licence as asked for would potentially grant an increase in the number of people (up to 5000 people) allowed to attend an event on any day of the week. What happens to all of these people at an event? How many 'staff are health and safety trained or first aid trained? Will there be a St Johns Ambulance at every event? Drinking and heat are a deadly combination. What about entering and leaving an event? What about crowd control.
The opening of the club to non-residents is obviously designed to attract more people to increase revenue. This would result in an increase in traffic down both Granary Lane and Stoneborough Lane, neither of which have pavements. The traffic in Granary Lane is already increasing with sat nav, and is extra busy on a Friday night, and more and more vehicles are being damaged. Vehicles are also speeding up and down the lane which is extremely dangerous, as people step straight out of their properties into the lane, increased traffic will increase the chance of an accident, especially if people are walking up the lane in the dark. What measures would be undertaken and implemented to aid these concerns.
What warnings will the club put in place regarding drinking alcohol and swimming in the sea/river?

3. Prevention of Public Nuisance

The noise can be so great at current events that its impossible to keep the windows open on a hot day / evening let alone sit out in the garden.
To turn the venue into a club would affect so much of the natural habitat. Now whilst I appreciate that the environmental concerns I have for the AONB, SSSI land is not relevant to the Licensing Department I would be concerned as to what affect the detriment of the wildlife, nesting bird etc would have to the towns tourism. The noise and chaos that could arise from the cricket club being a club and having events daily for months on end would surely have an impact. If there is nothing to see in the area then what about all the twitchers and nature lovers that flock to the area and no doubt bring much needed income to the town and its community.
What noise levels would the club be required to adhere to and what equipment would be available to check this before and during events. What's the consequence if these limits are breached and in what time scales?

What is in place for off licence sales in regards to people taking alcohol to either the beach or the common green areas around the club and at the bottom of Granary Lane? Personally I do not agree with off licence / premises sale of alcohol.

7 days a week until midnight and later is too late and far too much. I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with local residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

The increase in traffic noise on both Granary and Stoneborough would be a public nuisance, especially during the working week until midnight, the same goes for members of the public walking up and down the lane talking and perhaps drunk late at night. Many people in the lane are early risers due to work commitments, and have children and disturbed sleep would definitely be irritating as well as detrimental to everyone's health. A sign outside the club does asking people not leave via granary lane does not work, as many of us know.

Youngsters from the cricket club often trespass into the farmer's field at the end of the cricket club, earlier this year swans were nesting as were other birds, and children were running around screaming and out of control, what would be put in place to stop members and non-members doing this in the future?

What are the cricket club plans for parking for non members? Parking in the club is extremely limited and at present some people park their vehicles on double yellow lines near the entrance to the club. Non members may not wish to pay the Lime Kiln prices and will look for alternatives, which are local roads such as Granary Lane, Vales Road, Swains Road, Otter Vale Road, Estuary View etc all of which are within walking distance of the club. We already have beach goers sometimes parking in these roads and my concern about this is twofold, this will taking valuable parking spaces from local residents, and also people who are not used to parking in narrow lanes do so with no thought to emergency vehicle access. A fire engine was recently not able to get down the lane and had to reverse whilst the firemen had to walk down to the affected property. This is not acceptable as I am sure you would agree.

As the club plans to sell alcohol off the premises what will they put in place regarding littering. The recycling stations in the Lyme kiln carpark are shortly being removed, which means that this facility will no longer be available. If people are purchasing alcohol and drinking it off the premises, it could be that they leave behind rubbish both on the beach and the surrounding areas, such as broken bottles and plastic packaging. I would like to see the club take on responsibility for any rubbish collection, or have a return policy. This is a area of outstanding natural beauty attached to a triple SSSI site and littering will not only be annoying, but could be dangerous to the wildlife and reduce the number of visitors to the area.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

A new all access path will soon be built which runs alongside the cricket club and at the rear of the Granary Lane properties, what will be put in place to stop inebriated people taking alcohol there and being rowdy at unsociable hours and damaging property?

4. Protection of Children from Harm.

I read that the Cricket Club intend to check ID for those purchasing drinks and that currently only members are allowed to drink there, sadly a number of people I have spoken to know people who regularly get drinks there without being members themselves. Whilst this is only hearsay and I have no proof other than the spoken word it concerns me that if people can easily obtain drinks now when by rights they shouldn't then what would happen when there are tens, hundreds or thousands of people there? Who may buy drinks for teenagers who are underage? Who shall and will be able to monitor this? What are the consequences of drunk children (and adults) in the local vicinity?

Secondly if the club becomes an off licence and drinks can be brought and then consumed off premises who's to say that people will not be sitting in the children's play parks drinking or indeed very close by. What potential risk is that to the children who play there, my grandson being one of those? There has been no mention by the club about monitoring / limiting the type of drinks that can be consumed off of the premises - will glass bottles be used for example? May they be left in the play parks and skate park to be smashed and cause injury to children / anyone playing there?

As I mentioned earlier I want to support the Cricket Club and see it as a vital part of the community yet not at the detriment to the health and wellbeing of myself and my daughter, the community and the environment.

The addition of a nightclub next to my daughters house I am sure shall greatly reduce the property value as well which is something of great concern to me and in turn my daughter.

The application states that alcohol will be sold to members of the public at the discretion of the committee...what does this actually mean? Who from the committee will be on site during opening times to make that decision, and what is the set criteria?

The club needs to indicate what type of events it will hire the premises for, has a criteria been set. Stag dos, hen parties, live gigs, birthday parties? Where does it end?

In my view they need to be fairly prescriptive with regards to the plans for events.

I would definitely say, no live or outside music after 23:00

No alcohol to be sold on or off the premises before 12 noon, unless via a temporary licence for a special occasion

No alcohol to be sold after 22:30...this will only lead to people taking it away to the beach and surrounds I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with residents being informed of any specific events.

Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

I hope that you take this letter seriously and look forward to hearing from you shortly.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Jennifer Chibnall
Granary House, Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Ref: Representation against Budleigh Salterton Cricket Club Premises
Licence Application - Reference No. 046819

To Whom It May Concern:

I am writing to object to Budleigh Salterton's Cricket Club Premises Licence Application in its current form.

Being one of the closet residents to the Cricket Club I am continuously affected by the noise from the music when the club holds events.

My 93 year old Mother lives with me and we find that we are unable to rest or sleep with our windows open during the peak of the noise, which I find most distressing and damaging to my health and wellbeing and can also see how this affects my Mother adversely. The noise on many occasions also prevents me from opening my patio doors, sitting on my balcony or enjoying my garden.

The thought of longer opening hours, 7 days a week with limited or no restrictions with the additional goings on, the parties, the noise and the events is almost too much to bear. To turn the Cricket Club into a nightclub would be devastating to the environment, the local residents and I believe a negative impact on our beautiful town.

I wish for it to be noted that I love the Cricket Club. I love to watch the cricket out of my kitchen window especially when my grandson visits but the cricket itself is not noisy and is really pleasant. I want to support the Club and encourage it to thrive and survive, as I believe it is a great asset to our town but do not believe that increasing the hours it opens and the amount of alcohol it serves is the most effective way to increase revenue and support it.

The Cricket Club have said that they have consulted with local residents about the licence application and that it is not going to affect the way it currently operates but I question this as if this is the case why are they applying for a full licence rather than temporary licenses (where they can have 15 additional events a year, a process which by all accounts I've been told, is cost effective and easy to do). As I mentioned earlier my Mother and I are the closest to the club and no one has been kind enough or considerate enough to knock on our door and talk to us about it. There was no public consultation, no invitation to the club to discuss the possibilities and having spoken with a number of friends on Granary Lane have told me that they haven't heard from anyone either.

A few residents have contacted the club directly trying to get some answers but I know I speak for many Granary Lane residents when I say we are in the dark and have lots of unanswered questions causing great distress.

I do not trust the Cricket Club to do the right thing by its neighbours, they have already said that they have consulted their neighbours when clearly they haven't.

Last year over the August Bank Holiday weekend my Husband lay dying in our home, in his bedroom after a 4 year battle with cancer. Over the course of the weekend while he slipped into a coma the music, noise and general disruption from the Cricket Club was completely unbearable and on 3 separate occasions family friends, who incidentally are also members of the club, went to the club and asked them if they could please turn the music down a little and be considerate of their immediate neighbour who was dying.

The fact that people went on 3 separate occasions shows the lack of compassion and respect for someone in their final hours and days of life let alone someone who was their closest neighbour. Despite the requests no adjustments were made to the volume and disruption. I appreciate that this was a unique situation and one that was extremely distressing in its own right, but I ask you to consider if the club can not show respect and compassion in such an extreme case then why would they on a normal Monday to Sunday any time of day between April to October?

1. Prevention of Crime and Disorder

The licence that the club has applied for could turn the cricket club into a nightclub. What provision has been considered for firstly the amount of people the venue could then hold? If there are up to 5000 people able to attend an event there that puts an enormous drain on the local police force. How is this going to be managed? Where are they all going to park? Increased traffic to an already congested small area could cause disorder on the roads as well as damage to residents' cars parking along Granary Lane. Have the club considered bouncers? What would the ratio be of bouncers / security to member of the public? Who is going to guarantee the safety of the residents in the area? What happens when everyone wants to leave? What traffic routes / plans shall be put in place to ensure there is not disorder and everything runs smoothly? What is the likelihood of crime in the area increasing with increased numbers of people and an increased number of people who have been drinking. There are so many questions which need answering.

Considerations could be:

CCTV- could this be installed to monitor the environment and identify any incidents/individuals?

Security staff to deal with any incidents

A designated resident spokesperson and Cricket Club member to discuss all potential events and consequences openly and honestly.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Someone (or a number of people dependant of the number of public people) designated to be available at closing time to ensure customers leave in a timely and correct manner and in the right way as its evident the current signage does not work.

Direct link to the police regarding any disturbances (not sure if this is possible or normal)

Some rules would need to be in place for over 18's buying alcohol

NO alcohol to be taken off of the premises at any time.

Consideration for only plastic glasses/bottles - to conserve the environment but also the children's areas nearby

Public Safety

I noticed when reading the Cricket Clubs application under this heading they had noted - N/A

How can the Public Safety of our town not be a consideration and not be applicable to an organisation like the cricket club especially when it has asked to be granted a licence to open from 1st April to the end of October?

This is really unprofessional and abhorrent to think that public safety is not a priority for the cricket club. A licence for 7 days a week for alcohol to be served to members and non-members alike and be taken off of the premises.

Not only will increase drinking cause a health issue to those consuming it, consideration and parameters need to be put into place as to what happens when people who may have been drinking all day leave the premise. Where will they go then? To the beach and go for a swim? Will they go and play in the children's play parks? Will they leave shouting, laughing, swearing as they walk away? Will they drive home?

My Mother and I live alone in Granary House since my Husband died last year and it concerns me greatly for our safety with increased drinking available for anyone at any time and it makes me feel very vulnerable and I know my Mother feels the same.

Another note for concern is the licence as asked for would potentially grant an increase in the number of people (up to 5000 people) allowed to attend an event on any day of the week.

My Mother and I live alone in Granary House since my Husband died last year and it concerns me greatly for our safety with increased drinking available for anyone at any time and it makes me feel very vulnerable and I know my Mother feels the same.

What happens to all of these people at an event? How many staff are health and safety trained? Will there be a St Johns Ambulance at every event? Drinking and heat are a deadly combination. What about entering and leaving an event? What about crown control?

The opening of the club to non residents is obviously designed to attract more people to increase revenue. This would result in an increase in traffic down both Granary Lane and Stoneborough Lane, neither of which have pavements. The traffic in Granary Lane is already increasing with sat nav, and is extra busy on a Friday night, and more and more vehicles are being damaged.

Vehicles are also speeding up and down the lane which is extremely dangerous, as people step straight out of their properties into the lane, increased traffic will increase the chance of an accident, especially if people are walking up the lane in the dark. What measures would be undertaken and implemented to aid these concerns.

What warnings will the club put in place regarding drinking alcohol and swimming in the sea/river?

3. Prevention of Public Nuisance

The noise can be so great at current events that its impossible to keep the windows open on a hot day/evening let alone sit out in the garden.

To turn the venue into a club would affect so much of the natural habitat. Now whilst I appreciate that the environmental concerns I have for the AONB, SSSI land is not relevant to the Licencing Department I would be concerned as to what affect the detriment of the wildlife, nesting bird etc would have to the towns tourism. The noise and chaos that could arise from the cricket club being a club and having events daily for months on end would surely have an impact. If there is nothing to see in the area then what about all the twitchers and nature lovers that flock to the area and no doubt bring much needed income to the town and its community.

What noise levels would the club be required to adhere to and what equipment would be available to check this before and during events. What's the consequence if these limits are breached and in what time scales?

What is in place for off licence sales in regards to people taking alcohol to either the beach or the common green areas around the club and at the bottom of Granary Lane?

Personally I do not agree with off licence / premises sale of alcohol.

7 days a week until midnight and later is too late and far too much. I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with local residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

The increase in traffic noise on both Granary and Stoneborough would be a public nuisance, especially during the working week until midnight, the same goes for members of the public walking up and down the

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

lane talking and perhaps drunk late at night. Many people in the lane are early risers due to work commitments, and have children and disturbed sleep would definitely be irritating as well as detrimental to everyone's health. A sign outside the club does asking people not leave via granary lane does not work, as many of us know.

Youngsters from the cricket club often trespass into the farmer's field at the end of the cricket club, earlier this year swans were nesting as were other birds, and children were running around screaming and out of control, what would be put in place to stop members and non members doing this in the future?

What are the cricket club plans for parking for non members? Parking in the club is extremely limited and at present some people park their vehicles on double yellow lines near the entrance to the club. Non members may not wish to pay the Lime Kiln prices and will look for alternatives, which are local roads such as Granary Lane, Vales Road, Swains Road, Otter Vale Road, Estuary View etc all of which are within walking distance of the club. We already have beach goers sometimes parking in these roads and my concern about this is twofold, this will taking valuable parking spaces from local residents, and also people who are not used to parking in narrow lanes do so with no thought to emergency vehicle access. A fire engine was recently not able to get down the lane and had to reverse whilst the firemen had to walk down to the affected property. This is not acceptable as I am sure you would agree.

As the club plans to sell alcohol off the premises what will they put in place regarding littering. The recycling stations in the Lyme Kiln carpark are shortly being removed, which means that this facility will no longer be available. If people are purchasing alcohol and drinking it off the premises, it could be that they leave behind rubbish both on the beach and the surrounding areas, such as broken bottles and plastic packaging. I would like to see the club take on responsibility for any rubbish collection, or have a return policy. This is an area of outstanding natural beauty attached to a triple SSSI site and littering will not only be annoying, but could be dangerous to the wildlife and reduce the number of visitors to the area.

A new all access path will soon be built which runs alongside the cricket club and at the rear of the Granary Lane properties, what will be put in place to stop inebriated people taking alcohol there and being rowdy at unsociable hours and damaging property?

4. Protection of Children from Harm.

I read that the Cricket Club intend to check ID for those purchasing drinks and that currently only members are allowed to drink there, sadly a number of people I have spoken to know people who regularly get drinks there without being members themselves. Whilst this is only hearsay and I have no proof other than the spoken word it concerns me that if people can easily obtain drinks now when by rights they shouldn't then what would happen when there are tens, hundreds or thousands of people there? Who may buy drinks for teenagers who are underage? Who shall and will be able to monitor this? What are the consequences of drunk children (and adults) in the local vicinity?

Secondly if the club becomes in affect an off licence and drinks can be brought and then consumed off premises who's to say that people will not be sitting in the children's play parks drinking or indeed very close by. What potential risk is that to the children who play there, my grandson being one of those? There has been no mention by the club about monitoring / limiting the type of drinks that can be consumed off of the premises - will glass bottles be used for example? May they be left in the play parks and skate park to be smashed and cause injury to children/anyone playing there?

As I mentioned earlier I want to support the Cricket Club and see it as a vital part of the community yet not at the detriment to the health and wellbeing of myself and my Mother, the community and the environment. My 3 ½ year old Grandson also stays overnight on a weekly basis and on occasions he is unable to sleep due to the noise until close midnight which is totally unacceptable and detrimental to his health. He is a small child and unable to sleep in a brick house due to noise which is ridiculous to even be in that position.

The addition of a nightclub next to my house I am sure shall greatly reduce the value of my property which is something of great concern to me.

The application states that alcohol will be sold to members of the public at the discretion of the committee...what does this actually mean? Who from the committee will be on site during opening times to make that decision, and what is the set criteria?

The club needs to indicate what type of events it will hire the premises for, has a criteria been set. Stag dos, hen parties, live gigs, birthday parties? Where does it end?

In my view they need to be fairly prescriptive with regards to the plans for events.

I would definitely say, no live or outside music after 23:00

No alcohol to be sold on or off the premises before 12noon, unless via a temporary licence for a special occasion

No alcohol to be sold after 22:30..this will only lead to people taking it away to the beach and surrounds

I would suggest Friday, Sat and Bank Holidays plus 6 occasions per annum with a maximum of 500 people, with residents being informed of any specific events. Anything above 500, or in excess of the 6 occasions would require a temporary licence, and again local residents informed out of courtesy.

I hope that you take this letter seriously and look forward to hearing from you shortly.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Evidence:

Suggestion:

Person making Representation: Valerie Thorne
98 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: To have this proposed license every day from April to October for so many hours is unacceptable.

1 The noise pollution will be very invasive for local residents and visitors.

2 The retail sale of alcohol on and off the premises will have a detrimental effect in the carpark and adjacent areas with likelihood of broken glass and irresponsible behaviour.

3 The increased traffic in narrow lanes will be a danger to the public.

4 Who will police the area if permission is granted?

Public Safety is in question in these issues

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Graeme Boden
7 Granary Lane, BUDLEIGH SALTERTON, Devon.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Dear Sir/Madam,
As a resident living in Granary Lane, I write to object to the recent application made by Budleigh Salterton Cricket Club for a much wider in scope Premises License. I do so under the four licensing objectives set out in your Representation (Objection Form) REPO1.

1. Prevention of Crime and disorder.

The Budleigh Cricket Club situated just a few yards from The Lime Kiln Car Park which caters for the many thousands of residents, holiday makers and tourists who visit the beach and the surrounding area of natural beauty every summer. A childrens and toddlers Playground, a skateboard rink for teenagers and a BBQ facility are also within the same area.

It is obvious, if it were to occur, that the sale of alcohol to non members and under aged or intoxicated people could in certain circumstances pose a risk to the prevention of crime and anti social behaviour.

To control these risks :-

- a. The club would need to educate staff to ensure they were fully aware of the conditions of the premises license, the statutory obligations to meet the four licensing objectives and their legal obligations and responsibility regarding the sale of alcohol.
- b. Strict management control would be essential over all staff to ensure alcohol was not sold to underage or intoxicated persons.
- c. Records would need to be maintained of all staff training in a Training Log retained on the premises at all time and made available for inspection on demand by officers of both the EDDC Licensing authority and the Police.
- d. Records of all occurrences of disorder and refused alcohol sales must be kept in a Log and made available EDDC Licensing Authority and the Police.

2 .Public Safety

The application for the much wider in scope Premises license appears to indicate there has been a change in the way the club wishes to pursue its social activities in the future, possibly to increase its revenue. The license applied for appears to be much the same as a full public house licence but for the period 1st April to 31st October only. I also believe under this licence the Club can also sell alcohol to members and non members both on and off the premises.

If it is the intention to hold more functions at the club the specific risks to public safety are the additional numbers attending the club events, the number of cars using the car park and the greater number of vehicles traveling up and down the very narrow and constricted Granary and Stoneborough Lanes late at night, neither of which have pavements. It is a fact both roads are usually filled with parked cars at night, often barely passable.

To counter these risks:

- a. Staff need training in evacuation of crowded areas in the event of an emergency such as a fire or explosion,
- b. Fire Service checks need to be undertaken on fire extinguishers and building maintenance recognising a large number of fires occur in club kitchens.
- c. If not already fitted a defibrillator needs to be purchased, installed and staff training given on its use.
- d. Car park signs need to be installed in the car park asking members and guests to take the safest exit route by turning left on to Granary Lane when exiting the club grounds, following the road that runs parallel with the car park and up the hill past the war memorial. Not only is this the most manageable route but will also be less disturbing for residents in the area.

3. Prevention of Public Nuisance

The following are risks to the prevention of public nuisance:-

The supply of alcohol for consumption on and off the premises up to 00.30.

The playing of live and recorded music, indoors or outdoors up to midnight each day and the distance the sound can travel to neighbouring property especially at night.

The number of events envisaged where music is played for club and private functions.

The following specific control measures need to be implemented to counter these risks:

- a. Outside drinks must be served in plastic or toughened glasses and consumed within the club boundaries.
- b. Notices need to be displayed asking patrons to be aware of the necessity to keep outside noise levels to a minimum at all times and be respectful of the fact they are situated close to neighboring properties emphasizing sound levels including talking loudly travels long distances particularly at night.
- c. Outside lighting needs to be screened to avoid causing offense to nearby residents.
- d. The club needs to restrict the frequency of club and private function music events to avoid causing offense to local residents.
- e. The Club will need to regulate the volume of entertainment at club and private events by the installation of a noise limiter.

4. Protection of Children from harm

Specific risks are associated with the large number of children and young adults who visit the club to participate in cricket matches/training and other recreational and sporting facilities.

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Control measures to counter these risks are:

- a. The Club must adopt and enforce the "Challenge 25" policy to encourage anyone who is over 18 but looks under 25 to carry acceptable identification and produce it on request by staff if they want to purchase alcohol. Acceptable identification will be Passport, Photo Driving licence or Government Approval PASS card.
- b. The Club will need to display a notice inside the premises by the front door to explain the "Challenge25" policy to patrons.
- c. The Club will need to train staff on the implementation of the "Challenge25" policy.

Conclusions

I admire the aims of the Cricket Club and the fantastic voluntary contributions made by its members over the years which has provided Cricket and Sporting facilities for so many generations of youngsters in Budleigh Salterton since it was established in 1858. Personally I am delighted to have the cricket club at the end of my road and consider its location to be an additional asset to the lovely area in which we live. It cannot be denied however, the club is situated close to a large area of private housing. Because of its location and depending on weather conditions sound can travel a long way in this area. Sometimes sound/music from some of the Clubs social activities has apparently been the cause of annoyance to some of its neighbours particularly when a function has carried on late into the evening.

I am objecting to the application because I am not certain the Club would be able to conform with the measures I have suggested to counter the risks raised under the four licensing Objectives stated above. I also understand music events at the club are rare and only two live gigs and one disco have been held over the past three years. I believe they have no plans to change this. If this is the case I can see no reason to change the existing arrangement of having to submit a Temporary Event Notice for the occasional event. With regard to selling alcohol to non-members I personally do not think they should unless that person is over the age of eighteen and has been signed in by a member.

Evidence:

Suggestion:

Application No: 046819

Premises: Budleigh Salterton Cricket Club
Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA.

Person making Representation: Jan Ellis
BUDLEIGH SALTERTON, Devon, EX9 6ER.

Representation Accepted: Representation has been accepted

Reason: N/A

Details: Re: Premises license application submitted by Budleigh Salterton Cricket Club

Let me begin by saying that I think Budleigh Cricket Club is an asset to the town. I wish to support it and for it to thrive. However, any changes to the current way in which the club operates must be made in collaboration with local residents. As yet I do not believe that the Club has made this approach and I am sorry they have not chosen to go this route.

My main concerns would fall under the following headings

Prevention of Public Nuisance

I live halfway up Granary Lane and, as such, am some distance from the Club. However I have to say that the level of noise from the Club during its current evening activities is significant. To be honest this is generally not an issue for me but I can well imagine the negative impact this must have on my neighbours further down the Lane and closer to the Club.

I believe the Granary Lane residents are generally tolerant of the current activities but an increase in such activities i.e. A change to pub opening times together with the possibility of holding frequent events for large numbers of people will result in the cricket club becoming a public nuisance to local residents.

We live in a generally peaceful environment because we choose to do so and I would very much regret any changes that will make our life choices become un-acceptable.

Public Safety

The amount of traffic speeding along Granary Lane also rises significantly following club activities. It's a quiet Lane, with no pavement on either side. The Lane was never intended to see the traffic that it now experiences. Increased use of the cricket club can only lead to increased traffic in Granary Lane that, I am concerned will be damaging to people's safety and property.

Prevention of Crime and Disorder

Budleigh Beach is a peaceful space that is perfect for people of every age in which to enjoy our surroundings. I am concerned that a full licence will mean that people will wander out from the cricket club with alcohol and down on to the beach. This does not seem to me to be desirable on any level and I can imagine will lead to additional noise from the beach, litter and possibly un-social activity that will impact negatively on local residents.

Protection of children from harm

The beach, and the play area are very well used by both local residents and visitors. I am concerned that by creating a 'pub' at the end of the lane there will be an increase in bottles and glass littering this area. This seems to me un-desirable and could be harmful to the children that gather in this area to play.

I would wish there to be some consultation between the Club and local residents in which some common ground could be agreed and that sits within certain parameters which seem sensible to both parties.

Evidence:

Suggestion:

APPENDIX E

Budleigh Salterton Cricket Club – Responses to Notice of Hearing

Applicant

Budleigh Salterton Cricket Club,	
Hearing Unnecessary	N/A
Attending	Yes
Supporting documents	None
Summary of key points	None

Interested Parties

1.	Environmental Health Officer, EDDC, Knowle, Sidmouth, EX10 8HL
Hearing Unnecessary	Yes
Attending	N/A – Agreed Position

2.	KA Webb, 5 Mimosa Court, Granary Lane, Budleigh Salterton
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

3.	MJ Webb, 5 Mimosa Court, Granary Lane, Budleigh Salterton
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

4.	S Adam, Granary Lane, Budleigh Salterton
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

5.	K Baker, 66a Granary Lane, Budleigh Salterton
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

6.	R Baker, 66a Granary Lane, Budleigh Salterton
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

7.	M Bishop, Granary House, Granary Lane, Budleigh Salterton
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

APPENDIX E

8. G Boden, 7 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

9. D Butler, 26 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

10. Cherry Byerley, 29 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

11. Clive Byerley, 29 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

12. L Jones, 60 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

13. H Chandler, 18 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

14. J Chibnall, Granary House, Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

15. T Cooke, 48 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

16. J Couper, 94b Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

17. J Ellis, 90 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

APPENDIX E

18. J Falby, 96 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

19. J Hawalewycz, 58 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

20. R Matta, 58 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

21. R Hayman, 31 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

22. V Hayman, 31 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

23. D Johnstone, Flat 7 Mimosa Court, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

24. C Johnstone, Flat 7 Mimosa Court, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

25. R Lawrenson, 3 Mimosa Court, Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

26. C Seale, 18 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

APPENDIX E

27. V Thorne, 98 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

28. T Waddington, 15 Coastguard Road, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

29. R Wiltshire, 12 Marine Parade, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

30. J Yerrell, 51 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

31. M Yerrell, 51 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	Yes
Attending	N/A - Agreed Position

32. K Arscott , 8 Coppelstone Road, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

33. M Arscott , 8 Coppelstone Road, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

34. C Campbell, 38 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No
Attending	No

35. J Campbell, 38 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No
Attending	Yes – Representing C Campbell

APPENDIX E

36. L Kane, 44 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No
Attending	Yes

37. P Kane, 44 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

38. G Dobie, Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

39. C Henderson, Flat 8 Mimosa Court, Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

40. S Sutera, 46 Granary Lane, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

41. D Tomlinson , 11a Stoneborough Lane, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

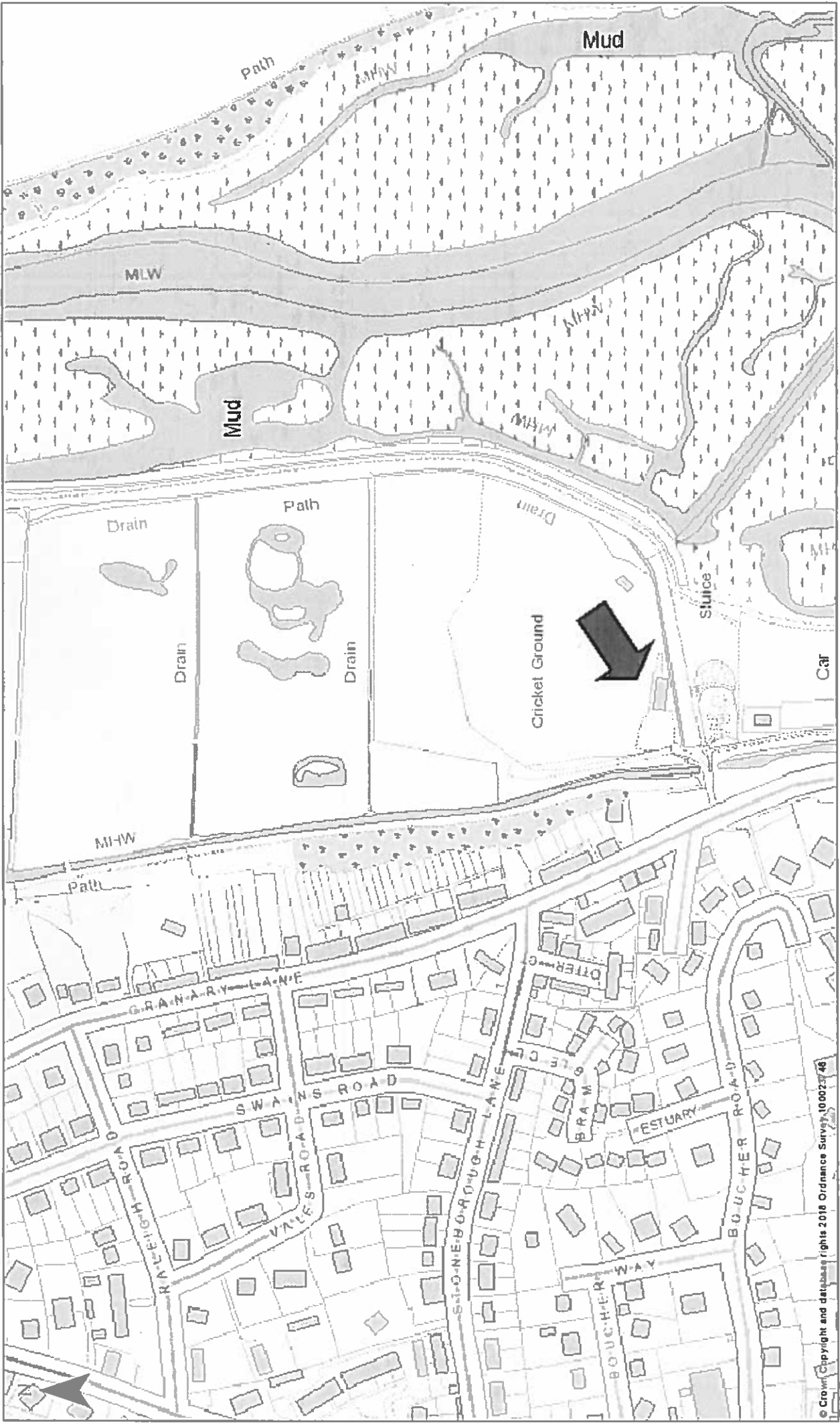
42. L Tomlinson , 11a Stoneborough Lane, Budleigh Salterton	
Hearing Unnecessary	No response
Attending	No response

Appendix F

1. Withdraw the application for live music outside the premises.
2. No live or recorded music inside or outside the premises after 23:00 hrs.
3. Live music inside to be restricted to six one day events per annum within the restricted opening hours of the club between 1st April and 30th September (these events can only take place on a Friday or Saturday or a day proceeding a bank holiday with at least two weeks in between for respite).
4. Recorded music inside and outside the premises to be controlled by a noise limiter set to the satisfaction of an Environmental Health Officer.
5. Alcohol sales to commence at 11:00hrs daily (instead of 08:00hrs).
6. A plan to be submitted by the applicant outlining the perimeter of the cricket field indicating this as the area for the consumption of alcohol only.

Appendix G

1. Budleigh Salterton Cricket Club will be run as a members club and will comply with the rules of the club.
2. Alcohol will be supplied to club members and to members of the public at the discretion of the committee.
3. The club will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol. Training records will be retained for at least 12 months and will be made available for inspection by officers of both the Licensing Authority and the Police.
4. An incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises will be recorded. The incident book will be kept on the premises at all times and will be made available for inspection by officers of both the Licensing Authority and the Police.
5. The premises will adopt a Challenge 21 policy. The only acceptable forms of ID will be Passport, Photo driving licence or Government approved PASS card.





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

Date of Meeting: 22/08/2018

Public Document: Yes

Exemption: None

Agenda item: **Item 7**

Subject: Certification of Film to be shown at Exmouth Savoy Cinema.

Purpose of report: This report informs Members with the background, history and issues of an application made under the Licensing Act 2003 for the certification of a film that does not currently have a BBFC (British Board of Film Classification) certification. The report informs Members of the options available to them when considering an application for the certification of films.

Recommendation: That members consider this application for the certification of the film provided and if considered suitable that it be granted in line with the BBFC classifications.

Reason for recommendation: To comply with statutory processes.

Officer: Steve Saunders ssaunders@eastdevon.gov.uk 01395 517411

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: The Legal implications are contained within the report. The council's decision may be appealed to the Magistrates Court.

Equalities impact: Low Impact

Risk: Low Risk

Links to background information: BBFC Classification Guidelines
(www.bbfc.co.uk/what-classification/guidelines)

Link to Council Plan: Not applicable

Report in full

1. Background
 - 1.1 The Licensing Act 2003 applies to premises that provides films and film exhibitions. The application is from an independent film maker, being a charity, to seek classification of a short film proposed for showing at Exmouth Savoy Cinema. The British Board of Film Classification (BBFC) does not decline to consider films for classification if a distributor requests classification although for one-off showings film makers and distributors may approach the local authority where a film is to be shown. Requests of this nature are infrequent.
 - 1.2 The licensing authority has a duty under Section 20 of the Licensing Act 2003 to categorise a film that is absent of a certificate from a film classification body such as the BBFC. The licensing authority may also reject or modify a film that has received a certificate from the BBFC.

- 1.3 The majority of films shown in Cinemas will carry a Certificate from the BBFC the categories of which are as follows:

Category 'U' Passed for general exhibition for audiences aged four years and over

Category 'PG' Passed for general exhibition but parents/guardians are advised that some scene may be unsuitable for young children.

Category '12' Passed as suitable only for exhibition to persons of twelve years and over. When a programme includes a '12' film, no persons under twelve years can be admitted.

Category '12a' Passed as suitable for children under the age of 12 if accompanied by an adult.

Category '15' Passed as suitable only for exhibition to persons of fifteen years and over. when a programme includes a '15' film no persons under the age of fifteen years may see the film.

Category '18' Passed as suitable only for exhibition to adults. When a programme includes an '18' film no persons under the age of eighteen years can be admitted.

Category 'R18' Passed as suitable only for exhibition in specially licensed cinemas, or supplied only in licensed sex shops and to adults only.

2. Details of the Application

- 2.1 An application has been received from Mr David Wellbeloved of the Exeter Royal Academy for Deaf Education to have a short film certified by the Licensing Sub Committee. This power is not delegated to officers in this district although officers have conducted a preliminary viewing prior to consideration by the members.
- 2.2 The details of the film which requires certification concerns a short Charity Appeal Film, this being a promotional film to raise public awareness in the cinema regarding a new appeal for the charity.
- 2.3 Officers have viewed the film which is available for the members and in line with the BBFC classifications is attached at **Appendix A**.
- 2.4 The film is to be shown at the venue of the Exmouth Savoy Cinema which has the benefit of a Premises licence under which the provision of films operates.

3. Recommendations

- 3.1 Members are requested to consider this request for the certification of the film. Members may take the decision to view the film prior to issuing a certificate. The officer propose the recommended category of 'U'.
- 3.2 The Licensing Authority has a duty to create conditions or restrictions, and does have the authority to categorise a film which is absent of a Certificate from the BBFC. Upon reaching a decision for classification the applicant shall be notified in writing.

3.3 The applicant can appeal any decision made by the sub-committee which would be to the Magistrates Court

Steve Saunders

Licensing Sub Committee

Licensing Manager

22 August 2018

The Classification Categories

Films shown in Cinemas will carry a Certificate from the BBFC the categories of which are as follows:

Category 'U' Universal for all –

Passed for general exhibition for audiences aged four years and over

A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of.

References to illegal drugs or drug misuse must be infrequent and innocuous, or have a clear educational purpose or anti-drug message suitable for young children.

Potentially dangerous or anti-social behaviour which young children may copy must be clearly disapproved of. No emphasis on realistic or easily accessible weapons.

Infrequent use only of very mild bad language.

Occasional nudity, with no sexual context.

Only very mild sexual behaviour (for example, kissing) and references to such behaviour.

Scary or potentially unsettling sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.

Violence will generally be very mild. Mild violence may be acceptable if it is justified by context (for example, comedic, animated, wholly unrealistic).

Category 'PG' Passed for general exhibition but parents/guardians are advised that some scene may be unsuitable for young children.

Category '12' Passed as suitable only for exhibition to persons of twelve years and over. When a programme includes a '12' film, no persons under twelve years can be admitted.

Category '12a' Passed as suitable for children under the age of 12 if accompanied by an adult.

Category '15' Passed as suitable only for exhibition to persons of fifteen years and over. when a programme includes a '15' film no persons under the age of fifteen years may see the film.

Category '18' Passed as suitable only for exhibition to adults. When a programme includes an '18' film no persons under the age of eighteen years can be admitted.

Category 'R18' Passed as suitable only for exhibition in specially licensed cinemas, or supplied only in licensed sex shops and to adults only.