

**Agenda for Licensing and Enforcement Sub Committee**  
**Wednesday, 12th July, 2023, 9.30 am**

**Members of Licensing and Enforcement Sub Committee**

Councillors: K Bloxham (Chair), O Davey and S Gazzard

**Venue:** Tale Room, Blackdown House, Honiton

**Contact:** Sarah Jenkins;

01395 517406 email [sjenkins@eastdevon.gov.uk](mailto:sjenkins@eastdevon.gov.uk)

(or group number 01395 517546)

Tuesday, 4 July 2023

East Devon District Council  
Blackdown House  
Border Road  
Heathpark Industrial Estate  
Honiton  
EX14 1EJ

DX 48808 HONITON

Tel: 01404 515616

[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

1 Minutes of the previous meeting (Pages 3 - 8)

2 Apologies

3 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

4 Matters of urgency

Information on [matters of urgency](#) is available online

5 Confidential/exempt items

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

6 Determination of an application to license a private hire vehicle which does not comply with the Council's vehicle age policy (Pages 9 - 97)

**The following item will be considered at 11.00am**

7 Determination of an application for the grant of a premises licence to allow the sale of alcohol to be consumed ON and OFF the premises at Combe Farm Shop, Hayne Farm, Gittisham, Honiton, EX14 3PD. (Pages 98 - 136)

**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 the meeting of Licensing and Enforcement Sub Committee held at Council Chamber, Blackdown House, Honiton on 21 June 2023**

**Attendance list at end of document**

The meeting started at 9.35 am and ended at 12.20 pm

**1 Minutes of the previous meeting**

The minutes of the previous meeting held on 22 May 2023 were agreed and signed as a true record.

**2 Declarations of interest**

Minute 6. Determination of an application for the grant of a premises licence to allow live music (indoors and outdoors), recorded music (indoors and outdoors), the sale of alcohol for consumption ON and OFF the premises at Budleigh Salterton Cricket Club, The Holt, East Budleigh Road, Budleigh Salterton, EX9 7BA.  
Councillor Tim Dumper, Affects Non-registerable Interest, The Member knows two of the interested parties, Doris Couper and Margaret Yerrell. The Member confirmed that this would not affect his ability to consider the application impartially.

**3 Matters of urgency**

There were no matters of urgency.

**4 Confidential/exempt items**

There were no confidential / exempt items.

**5 Determination of an application for the variation of an existing premises licence PLWA0275 at Kilmington Cross Service Station, A35 Gammons Hill, Kilmington, Axminster EX13 7RB**

The meeting was a hearing under the Licensing Act 2003.

The Chair introduced the members of the Sub Committee and the officers present.

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for the meeting.

The Sub Committee considered the application for the variation of an existing premises licence PLWA0275 at Kilmington Cross Service Station, A35 Gammons Hill, Kilmington, Axminster EX13 7RB.

The applicant, present and entitled to make representations, was Paul Jones, Regional Manager, of Motor Fuel Limited, and Robert Botkai, Winckworth Sherwood, legal representative for Motor Fuel Limited.

Also present, and entitled to make representations, was Cllr Peter Ball, Chair of Kilmington Parish Council.

The Licensing Officer, Lesley Barber, advised that there were no updates to the report as published. The application covered three main areas: extension to the existing hours; provision of late night refreshment; amend the current conditions of the licence which had been in place since 2005.

Seven representations had been received which were shown at Appendix D, including the agreed position with the Police. The Police sought to tighten various conditions including the robust policy of challenging underage sales of alcohol.

The Licensing Officer also advised that the applicant had offered an undertaking to Kilmington Parish Council to reduce trading hours for the first six months, from between 05:00 to 24:00, rather than the full 24 hours, should the variation to the licence be granted.

The Sub Committee noted that only the permitted hours, as shown on the licence, would be enforceable and any other agreement would be between the applicant and Kilmington Parish Council.

In response to a question from a member, the Licensing Officer advised that it was best practice to keep an incident book.

Mr Botkai noted that the applicant's offer of the voluntary measure could be placed on record in order to provide comfort to the Parish Council.

In response to a question from the interested party, the Licensing Officer advised that every licensed premises is required to have a Designated Premises Supervisor (DPS) who can delegate in their absence. The applicant confirmed that the DPS is always the Manager of the Motor Fuel Ltd service station, who would also ensure that all staff are suitably trained.

The applicant's legal representative, Mr Botkai, made the case for the application and highlighted the following points:

- The current conditions date back to 2005 and needed updating.
- The Police were in support of the application, based on agreed additional conditions.
- There was no intention for the Greggs outlet on the site to operate at night.
- The current licence permitted the sale of alcohol until 22:00.
- Motorfuel Group Limited is a very experienced operator with multiple 24 hour premises.
- Local residents' concerns and objections were understood, however, it was not the operator's experience that customers would come from far and wide, and at all hours, to buy alcohol. The operator is not anticipating a large increase in trade should the licence be granted.
- Should issues such as anti-social behaviour occur, the operator would suspend sales and conduct a review.
- After 23:00 a night pay window is in operation.
- All cashiers are trained with regard to Challenge 25 and in recording refusals of sales of alcohol and tobacco.
- The application is within all relevant regulations and legislation.

In response to questions from members, the applicant made the following points:

- The application to extend the opening hours was for operational reasons as it was more difficult to manage the whole premises with cut off times for sales.
- A single member of staff would be present during the night, as is usual for petrol stations. Support for staff is available 24 hours a day from the Manager and local Contract Manager, with an escalation chain always in place should any issues arise.

The interested party, Cllr Peter Ball, Chair of Kilmington Parish Council, made his case and highlighted the following points:

- The service station, with a small café attached, had previously been quiet and had recently been purchased by Motor Fuel Limited, an operator with a large number of outlets which generated 30% of its profits from non-fuel sales.
- Although the operator aimed for consistency across its sites, individual applications should be considered on their own merits. The Parish Council requested that the Sub Committee consider the fact that the parish lies within an Area of Outstanding Natural Beauty and is a small, quiet village.
- The Parish Council had been advised by a national highways officer that the Greggs outlet made the service station a “go-to” venue. Should the variation to the licence be granted, the Parish Council was concerned that a 24 hour off licence would increase the number of people driving to the venue for reasons other than to purchase fuel.
- It was noted that the Police are not close by and that the operator has a duty to demonstrate that measures are in place to ensure that there is no harm to the amenity of local residents, who have a right to the peaceful enjoyment of their homes.
- One member of staff, alone at night, would not be sufficient to deal with any issues on the forecourt.
- The Parish Council requested that the closing time be restricted to 10pm.

In response to questions from members, Cllr Ball clarified that there were no serious issues at the present time, but that problems of a significant nature were more likely to arise after 10pm.

The legal advisor, Giles Salter, advised that the Licensing Act is a permissive Act but that there are provisions for review if issues do arise in the future. The Sub Committee could not make decisions based on supposition.

Cllr Ball advised that the fact that Greggs is now considered a “go-to” outlet resulted in an increase in traffic. Although Greggs currently closes at 6pm, it may be decided to open for longer, adding to the traffic coming to Kilmington as a destination. The Parish Council thanked the applicant for their offer of a trial period of reduced hours, but would prefer no increase in operating hours.

In his closing statement for the applicant, Mr Botkai noted that customers stop at petrol stations for a variety of reasons, and in this case, the site also offered a Londis shop which sells a wide variety of goods. In the current economic climate, service stations only survive if they have a good offer in addition to fuel. The night staff are able to lock the premises for their own safety and it was a misconception that having more than one member of staff would lead to any reduction of incidents as staff were trained to seek help, rather than confront the public. There was no evidence of any public nuisance or crime and disorder and the operator was of the view that the proposed extension to the opening hours would not make any difference. The Parish Council was encouraged to contact Motor Fuel Limited should there be any issues. The applicant re-iterated the offer of reduced opening hours during the first six months should the variation to the licence be granted.

The Chair thanked everyone for attending and advised that the decision would be notified in writing within five working days.

This item finished at 10:37am and the meeting was then adjourned until 11:00am.

The applicant, Mr Jones and Mr Botkai, the interested party, Cllr Peter Ball, and the Licensing Officer left the meeting.

6 **Determination of an application for the grant of a premises licence to allow live music (indoors and outdoors), recorded music (indoors and outdoors), the sale of alcohol for consumption ON and OFF the premises at Budleigh Salterton Cricket Club, The Holt, East Budleigh Road, Budleigh Salterton, EX9 7BA**

On the resumption of the meeting, the Chair introduced the members of the Sub Committee to those present.

The Sub Committee considered an application for a premises licence to allow live music (indoors and outdoors), recorded music (indoors and outdoors), the sale of alcohol for consumption ON and OFF the premises at Budleigh Salterton Cricket Club, The Holt, East Budleigh Road, Budleigh Salterton, EX9 7BA.

The applicant, present and entitled to make representations, was Budleigh Salterton Cricket Club, represented by Emma Cooling, Carolyn Roper and Joel Murphy.

Also present, and entitled to make representations were Robbie Sillars, Kate Sillars, Pat Coulter, Margaret Yerrell, Doris Couper, Mike Sheehan (also representing Simon King and Rosie King) and Yvonne Mills (representing Andrew Mills).

The Sub Committee's legal advisor, Giles Salter, outlined the procedure for hearing the application.

The Licensing Officer, Phillippa Norsworthy, summarised the application and noted that the applicant had come to an agreed position with the Police.

Responses to the Notice of Hearing which had been received after the publication of the report had been sent to members of the Sub Committee. The Environmental Health Officer had met the applicant at the site and the applicants had then submitted changes to the proposed operating schedule which had also been sent to members. The Licensing Officer read out information from the Environmental Health Officer relating to the premises noise management plan. The Sub Committee was advised that the applicant proposed to amend the hours sought so that no live music would be played outdoors after 23:00pm.

There were no questions from members or from the applicant for the Licensing Officer.

In response to questions from the interested parties, the Licensing Officer clarified the following points:

- With regard to the sale of alcohol, the Police had requested 30 minutes drinking up time which amended the proposed opening hours to 22:30 Sunday to Thursday and 23:30 Friday and Saturday.
- Regarding the live music, it had been agreed that there would be no live music outside after 23:00pm. After 23:00pm live music would be inside only.

An interested party advised that the venue has bi-fold doors which could remain open while live music was being played indoors. The legal advisor noted that the applicant could offer mitigation measures, or the Sub Committee could choose to impose a condition to mitigate such a situation.

The applicant, represented by Carolyn Roper and Emma Cooling, made the case for the application and highlighted the following points:

- The Cricket Club had been forced to relocate in 2002 and moved to the current new site. A lot of thought had gone into the design of the building to ensure that it was sustainable and welcoming for the whole community. The club house had been designed to contain noise and would face away from the town. It was also fully accessible. The Cricket Club was well run and respected, and wished to work with the whole town and community.
- It was very important to the Club to maintain a good relationship with neighbouring residents. The design of the club house incorporated glazing which offers a high level of protection from noise. Should live music be played after 23:00pm, windows and doors would be shut. The Cricket Club offered reassurance that it is not intending to be an outside music venue, however, it did need to be able to hold events in order to generate funds. There was a need to keep the membership fee low so as to make cricket available to the whole community at a grass roots level.
- Local residents would be provided with a contact phone number in the event of any issues with noise arising from events.
- The design of the club house had been amended to provide for a maximum of 80 people seated for an event.

In response to a question from the Sub Committee, the applicant advised that live music outside up to 23:00pm was sought to allow flexibility when organising events.

The interested parties put questions to the applicant, who provided the following responses:

- Regarding concerns about car parking and the effect of parking and traffic on Granary Lane, the applicant advised that the car parking provision was not yet at full capacity.
- With regard to the previous licence held by the Cricket Club, it was confirmed that late openings had been restricted to 6 events per year, with a 2 week rest period between events.
- The new club house will not be air conditioned and the intention would be to close doors and windows after 23:00pm when live music is played.
- It is very unlikely that there will be events every Saturday night and the Cricket Club is also receiving expressions of interest for eg. yoga sessions, art events and wakes.
- Regarding installing a noise limiter, the applicant noted that the cabling would be in place for a noise limiter, but that they had been advised that music equipment brought in by an external performer would override it.

The Chair noted that the playing of live music appears to be the main point of contention. The Legal Advisor suggested that all parties involved hold a trial session to ascertain noise levels at various distances, with the Environmental Health Officer also present if possible. The Legal Advisor emphasised that the Licensing Act is permissive, but that there are also draconian measures in place to hold a review, to impose conditions or to close a licensed premises.

The applicant confirmed that they would be happy to hold a test and have worked with all relevant authorities at every stage of the application.

The interested parties made their case and highlighted the following points:

- There is concern regarding how noise levels will be restricted and the interested parties would wish to see a noise limiter in place.
- There is also concern regarding the noise when people are leaving the Cricket Club and the situation is bad enough currently before the club house is fully operational.
- Whilst the interested parties would welcome a noise limiter, this is only one part of the problem and the various smaller issues of concern have a cumulative effect to the detriment of local residents.
- There appear to be 2 agendas for the Cricket Club: the club is an excellent facility for children and people with disabilities; the club is also being marketed as an events facility. The interested parties would wish to have an assurance that the club house will only be

operated by members, rather than bringing in an outside operator in order to generate income.

- The interested parties would also wish to see a noise management plan in place.
- This is not a normal licensing application as the building is exceptional, stands alone in green fields and is located in a quiet residential area of Budleigh. The club house is in close proximity to homes and a nature reserve. Licensing policy recognises the need to assess potential nuisance. Most visitors arrive by car which results in light and noise nuisance. The late introduction of noise mitigation measures is subjective, selective and unworkable. It would also be impossible to select unbiased parties for a trial session.
- The application appears to present the vision of the Cricket Club as a destination facility independent of cricket.

In their closing statement, the applicant highlighted that they want to work together with the local community. The Cricket Club is for cricket and will not become a festival venue. The club is run by volunteers and the aim is to keep costs low so as to not increase the membership fee. As the expert in noise matters, the Environmental Health Officer is content with the application.

The Chair thanked everyone for attending and advised that the decision would be notified in writing within five working days.

### **Attendance List**

#### **Councillors present:**

O Davey  
T Dumper  
J Whibley (Chair)

#### **Councillors also present (for some or all the meeting)**

I Barlow  
N Hookway

#### **Officers in attendance:**

Lesley Barber, Licensing Officer (left the meeting at 10:37am)  
Sarah Jenkins, Democratic Services Officer  
Phillippa Norsworthy, Licensing Officer (joined the meeting at 11:00am)  
Giles Salter, Solicitor

#### **Councillor apologies:**

Chair .....

Date: .....

Report to: Licensing and Enforcement Sub Committee



Date of Meeting 12<sup>th</sup> July 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

## **Determination of an application to licence a private hire vehicle which does not comply with the Council's vehicle age policy**

### **Report summary:**

It is the District Council's policy that on initial licensing as a private hire, a vehicle shall not be more than 5 years old from the date of first registration as shown on the vehicle registration document.

An application to licence a private hire vehicle has been received for a silver Ford Tourneo, **vehicle registration number WA18 TOV**. This vehicle, being **5 years and 3.5 months old**, does not meet the vehicle age policy criteria and the application is therefore to be determined by the Licensing and Enforcement Sub Committee.

### **Is the proposed decision in accordance with:**

Budget Yes  No

Policy Framework Yes  No

### **Recommendation**

That the Licensing and Enforcement Sub Committee consider the application to licence vehicle registration number WA18 TOV as a private hire vehicle and determine whether to refuse the application or make an exception to the District Council's vehicle age policy and agree to grant the application and licence the vehicle.

### **Reason for recommendation:**

To ensure that vehicles licensed with this authority meet a high standard of passenger safety and comfort and are fit to carry out the work that is required as a private hire vehicle.

Officer: Emily Westlake, Licensing Officer [ewestlake@eastdevon.gov.uk](mailto:ewestlake@eastdevon.gov.uk) 01404 515616

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk

**Links to background information:**

[Town Police Clauses Act 1847](#)

[Local Government \(Miscellaneous Provisions\) Act 1976](#)

[East Devon District Council's Statement of Licensing Policy for Hackney Carriages, Private Hire Vehicles, Drivers and Private Hire Operators](#)

**Link to [Council Plan](#)**

Priorities (check which apply)

Better homes and communities for all

A greener East Devon

A resilient economy

---

**Report in full**

## **Legislation and Policy**

1.1 The Council is responsible for the regulation of hackney carriage and private hire services within the district. The legal framework for the taxi licensing regime is contained in numerous pieces of legislation but primarily the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

1.2 **Section 48 Local Government (Miscellaneous Provisions) Act 1976 states that:**

### 48 Licensing of private hire vehicles

(1) Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied—

(a) that the vehicle is—

- (i) suitable in type, size and design for use as a private hire vehicle;
- (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
- (iii) in a suitable mechanical condition;
- (iv) safe; and
- (v) comfortable;

- (b) that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of [Part VI of the Road Traffic Act 1988],

and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licences are granted by the council.

- (2) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates.

## Policy

- 1.3 East Devon District Council's responsibility for the regulation of hackney carriage and private hire licences is exercised in accordance with the District Council's Statement of Licensing Policy for Hackney Carriages, Private Hire Vehicles, Drivers and Private Hire Operators (henceforth referred to as the Hackney Carriage and Private Hire Licensing Policy) which, following a public consultation, was approved by the Licensing and Enforcement Committee on 17<sup>th</sup> May 2017 and adopted by Full Council on the 27<sup>th</sup> July 2017.
- 1.4 A Hackney Carriage and Private Hire Licensing Policy is not a statutory policy and although there is no requirement for the Council to adopt such a policy, it is good practice to do so as it sets out the Council's approach to issuing licences and enforcement ensuring a consistency of approach and fairness and transparency for both the trade and public alike. The policy is kept under constant review.
- 1.5 At the time of adoption in July 2017 the provisions of that policy in respect to vehicle age, stated that:
- "The Council's policy is that on initial licensing as a hackney carriage or private hire vehicle a vehicle shall be no more than 4 years old from the date of first registration as shown on the vehicle registration document".*
- 1.6 In April 2020 East Devon District Council temporarily adopted an Emergency Covid 19 Policy in relation to hackney carriage and private hire licensing. At this time the maximum age for vehicles on initial licensing was temporarily extended to no more than 5 years old from date of first registration in order to assist the taxi trade during challenging times. The Emergency Covid 19 Policy came to an end on the 31<sup>st</sup> December 2021.
- 1.7 Following a request from hackney carriage and private hire vehicle licence holders, it was subsequently resolved at a meeting of the Licensing and Enforcement Committee on the 26<sup>th</sup> October 2022, to re-instate the temporary extension to the vehicle age policy until the Council's Hackney Carriage and Private Hire Licensing Policy is fully reviewed in 2023. This amendment to the Hackney Carriage and Private Hire Licensing Policy was ratified by Full Council on the 7<sup>th</sup> December 2022.
- 1.8 Section 11.5 of the Hackney Carriage and Private Hire Licensing Policy, adopted on the 27<sup>th</sup> July 2017 and last updated on the 7<sup>th</sup> December 2022, sets out the Council's current vehicle age policy and section 11.5.1 states that:
- "The Council's policy is that on initial licensing as a hackney carriage or private hire vehicle a vehicle shall be no more than 5 years old from the date of first registration as shown on the vehicle registration document".*

1.9 Section 11.5.2 of the policy states:

*“Where exceptional circumstances may apply applications to licence vehicles that are more than 5 years old from the date of first registration as shown in the vehicle registration document will be considered by the District Council on a case by case basis. The presumption is that licences will not be granted for vehicles over 5 years old, but each such application will be considered on its own merits. Factors such as the condition of the vehicle and the mileage will be relevant. The application will be considered by a Sub Committee of the Licensing and Enforcement Committee. The Sub Committee will need to be satisfied that the vehicle is in exceptional condition for its age. The Council would expect the vehicle to have a full service history and a certification that the recorded mileage is correct. When considering to licence an older vehicle Members will expect to be provided with an AA ‘Comprehensive’ test report or a RAC ‘Essential Plus’ report to indicate the condition of the vehicle. These reports must be provided at the applicant’s own expense. Providing these documents does not mean that the vehicle licence will be automatically issued, but is a starting point at which the Council can make a decision to licence the vehicle or not, based on the vehicle condition. All the other relevant documents necessary for licensing must also be produced. This provision shall not apply to non-motorised vehicles”.*

1.10 Licensing Officers therefore have delegated powers to grant licences for new hackney carriage and private hire vehicles up to the age of 5 years from date of first registration only.

1.11 Where exceptional circumstances apply, applications to licence a vehicle over 5 years old (from date of first registration) may be referred to a Sub Committee of the Licensing & Enforcement Committee for determination. This is in line with section 11.5.1 and 11.5.2 of the Council’s Hackney Carriage and Private Hire Licensing Policy.

### **Application details**

1.12 On the 25<sup>th</sup> April 2023, an application to licence a private hire vehicle was received by the Licensing Authority from Mr Jason Vincent of Axminster Private Hire. The application was considered to have been made in full on the 19<sup>th</sup> June 2023 when the final supporting document was received.

1.13 In support of this application the following documentation has been provided and is included within the following appendices of this report:

Appendix A – application for private hire vehicle licence

Appendix B – V5 vehicle registration document details

Appendix C – confirmation of MOT

Appendix D – vehicle compliance test

Appendix E – confirmation of Tax

Appendix F – insurance certificate details

Appendix G – photographs of the vehicle

Appendix H – AA inspection report

Appendix I – Invoice for repairs

Appendix J - Service record

1.14 The application form is provided at **APPENDIX A.**

- 1.15 The vehicle is described in the V5 vehicle registration document as a **silver Ford Tourneo, vehicle registration number WA18 TOV**. The body type is described as an MPV (a Multi-Purpose Vehicle often referred to as a “People Carrier”) with 9 seats including the driver. It has an engine cylinder capacity of 1995cc and has CO2 emissions of 181 G/KM. The relevant vehicle details, as listed in the V5, are provided at **APPENDIX B**.
- 1.16 The date of first registration is shown in the vehicle registration document as the **27<sup>th</sup> March 2018**. On the date of the sub-committee hearing, the vehicle will be approximately **5 years and 3.5 months old** from the date of first registration.
- 1.17 The Council’s Hackney Carriage and Private Hire Licensing Policy requires all private hire vehicles over 36 months of age to have a valid Ministry of Transport test certificate (MOT). An online check of the vehicle’s MOT status has been completed and is attached at **APPENDIX C**. This confirms that the vehicle has a valid MOT, carried out by an MOT registered garage on the 11<sup>th</sup> April 2023, which expires on the 24<sup>th</sup> April 2024. The MOT lists the following advisories to monitor and repair if necessary:
- Oil leak, but not excessive (8.4.1 (a)(i))
  - Offside Front Track rod end ball joint has slight play (2.1.3(b)(i))
  - Nearside Front Tyre worn close to legal limit/worn on edge (5.2.3(e))
- 1.18 The applicant has provided an invoice dated 25<sup>th</sup> April 2023, produced at **APPENDIX I**, which documents repairs carried out to the vehicle following the MOT. This includes the supply and fit of two tyres, the supply and fit of two track rod ends, an engine clean down and oil leak assessment. The applicant has also provided an additional invoice dated 22<sup>nd</sup> May 2023 for further repairs. This indicates that, a further engine and gear box clean down was carried out at that time, followed by a test drive to investigate the oil leak and no leak was found. This invoice is included at the end of **APPENDIX H**
- 1.19 In addition to the MOT certificate, the Council requires that all hackney carriage and private hire vehicles must hold a current compliance test report/certificate to the standard set by the Council. The applicant has provided an approved compliance test report and this is included at **APPENDIX D**. This has been completed by a garage authorised to issue MOT certificates on the 19<sup>th</sup> June 2023 and indicates that the vehicle has passed all of the required tests. The tester has certified that they have found the vehicle to be safe, comfortable and in sound mechanical condition.
- 1.20 The MOT indicates that, on the date of the MOT (11<sup>th</sup> April 2023), the vehicle’s mileage was shown as: 249,087 miles. The mileage may have increased since that date and the sub-committee may wish to ask the applicant for a current reading.
- 1.21 An online tax check has been carried out and is presented at **APPENDIX E**. This demonstrates that the vehicle is currently taxed with tax next due on the 1<sup>st</sup> October 2023.
- 1.22 The applicant has provided a certificate of motor insurance and the relevant details are included at **APPENDIX F**. The vehicle insurance is valid from the 20<sup>th</sup> April 2023 to the 29<sup>th</sup> August 2023. This states that the vehicle is insured for:
- Use for private hire, including the carriage of passengers and goods for hire and reward and
  - Use for social, domestic and pleasure purposes
- 1.23 The applicant has provided photographs of the vehicle in line with the Council’s current procedures and these are set out at **APPENDIX G**. The vehicle will also be presented by the

applicant at the Council Offices on the day of the hearing to allow Members the opportunity to inspect the vehicle.

- 1.24 As demonstrated in the photographs, the vehicle has rear sliding doors on both sides and the seating configuration of the vehicle is:
- Front: driver's seat and two passenger seats
  - Second row: three forward facing seats
  - Third row: three forward facing seats
- 1.25 Online checks indicate that some Ford Tourneo Custom models have versatile conference seating where the second row can be turned around to face the rear of the vehicle and the second and third row seats can be removed individually to allow for additional luggage space. The sub-committee may wish to review this when they inspect the vehicle.
- 1.26 If Members see fit to licence the vehicle, the applicant has requested in the application form that the vehicle is licensed for **8 passengers**.
- 1.27 The applicant has indicated in the application form that, to their knowledge, the vehicle has not been declared a write off or potential write off by the police or an insurance company at any time.
- 1.28 An online basic vehicle check carried out by Licensing Officers on the 29<sup>th</sup> June 2023 likewise indicates that the vehicle has not been recorded as an insurance write off, has not been recorded as stolen or scrapped and has not been imported or exported.
- 1.29 Section 11.5.2 of the Council's Hackney Carriage and Private Hire Licensing Policy (set out at number 1.9 of this report) states that when considering to licence an older vehicle Members will expect to be provided with an AA Comprehensive test report or a RAC Essential Plus report to indicate the condition of the vehicle. The applicant has provided an AA vehicle inspection report in support of the application and this is included at **APPENDIX H**. The Vehicle Identification Number (VIN No) included in this document matches the VIN No for this vehicle stated in the V5.
- 1.30 The Inspection Report states that both essential (red) and advisable (amber) repairs are required to the vehicle and that the vehicle is "not suitable for purchase unless all essential repairs are undertaken and advisable repairs are planned and budgeted for". The applicant has advised the Licensing Officer that all of the essential repairs requiring immediate attention listed under "red" on page 3 of the report have been completed. An invoice dated 22<sup>nd</sup> May 2023 has been provided in support of this and can be found at the end of **APPENDIX H**.
- 1.31 The sub-committee's further attention is drawn to the following pages of the form:
- Page 3 – lists the essential and advisory repairs required
  - Page 4 - lists interior and bodywork comments
  - Pages 45 - 49 – contains the inspection detail and checks carried out
- 1.32 The vehicle service history is provided in pages 41 and 43 of the AA vehicle inspection report however for ease of reference the applicant has provided a further copy of this which can be viewed at **APPENDIX J**. This shows the last service as having been carried out on the 8<sup>th</sup> December 2022 at 242,492 miles.

## **The applicant**

- 1.33 Mr Jason Vincent is a licensed private hire driver and operator with this authority and has held these licences since December 2019. Mr Vincent also holds a hackney carriage driver licence with this authority.
- 1.34 Mr Vincent operates from a base in East Devon.
- 1.35 Mr Vincent has two other vehicles currently licensed with this authority being:
- A Peugeot ETraveller which is approximately 10 months old and licensed to carry 7 passengers and,
  - a Land Rover Range Rover which is approximately 6 years and 10 months old and is licensed to carry 4 passengers

## **2 Background Information**

- 2.1 There are 40 private hire vehicles currently licensed by East Devon District Council. These vehicles range in age (from date of first registration) from 10 months old to 10 years old as follows:

<b>Age range</b>	<b>Number of vehicles licensed in this age bracket</b>
Under 1 year	1
Between 1 and 2 years	2
Between 2 and 3 years	3
Between 3 and 4 years	2
Between 4 and 5 years	11
Between 5 and 6 years	6
Between 6 and 7 years	7
Between 7 and 8 years	4
Between 8 and 9 years	2
Between 9 and 10 years	1
Between 10 and 11 years	1

- 2.2 East Devon District Council's Hackney Carriage and Private Hire Licensing Policy does not exclude a vehicle from being licensed on renewal as a hackney carriage or private hire vehicle by reason of being more than 5 years old, provided that the vehicle was initially licensed by the Council and is continually licensed thereafter as either a hackney carriage or private hire vehicle. This is stated at section 11.5.1 of the policy.
- 2.3 The Policy does however prescribe additional checks for older vehicles that continue to be licensed and includes the following provisions:

Section 11.5.1 of the policy states that:

*“Licensed vehicles of more than 8 years old shall only continue to be licensed subject to a satisfactory East Devon vehicle compliance report being obtained every 6 months from the date of licence issue. The test must be carried out by an authorised MOT examiner at a testing station approved by the Ministry of Transport, and must be conducted against an inspection checklist”.*

Section 11.5.2 of the policy states that:

*“Licensed vehicles over 14 years of age must be presented for inspection by a Licensing Officer prior to further renewal of the vehicle licence. In circumstances where a vehicle is not considered by an Officer to be of sufficient standard then the application will be referred to the Sub Committee of the Licensing and Enforcement Committee who will decide whether to grant the renewal of the vehicle licence. If an appointment for an inspection is not made prior to the vehicle licence renewal date, the licence will automatically expire”.*

### **3 Conclusion**

3.1 This vehicle was registered on the **27<sup>th</sup> March 2018** and is now **5 years and 3.5 months** old.

3.2 The vehicle is taxed and has a valid MOT and the applicant has provided a vehicle inspection report, AA vehicle test report and vehicle service history in support of the application.

3.3 As set out in paragraphs 1.3 – 1.11 of this report, the Council’s Hackney Carriage and Private Hire Licensing Policy requires that on initial licensing as a private hire vehicle a vehicle shall not be more than **5 years** old from the date of first registration as shown in the registration document.

3.4 This is a policy agreed by Members following, as in all cases of policy, consultation with the trade and other interested parties. Policy is more than advice and should not be disregarded unless exceptional circumstances apply.

3.5 The policy states that:

*“Where exceptional circumstances may apply applications to licence vehicles that are more than 5 years old from the date of first registration as shown in the vehicle registration document will be considered by the District Council on a case by case basis. The presumption is that licences will not be granted for vehicles over 5 years old, but each such application will be considered on its own merits”.*

3.6 It also states that:

*“The Sub Committee will need to be satisfied that the vehicle is in exceptional condition for its age”.*

3.7 Members should note that the presumption is that on initial licensing, licences will not be granted for vehicles over 5 years old but that each such application should be considered on its own merits.

3.8 It should also be noted that, if Members are minded to grant the application, they must be satisfied that the vehicle is in exceptional condition for its age and that exceptional circumstances apply. Factors that Members should consider include the condition of the vehicle when presented and the information included within both the report and the documentation listed in the appendices. Members will have the opportunity to hear from the applicant and inspect the vehicle.

3.9 If Members are unable to find grounds to make an exception the application should be refused.

- 3.10 When departing from policy Members should state clearly in their decision the grounds for making the exception.
  - 3.11 Members must not refuse the application for the purpose of limiting the number of private hire vehicle licences granted by East Devon District Council.
  - 3.12 Members may attach to the grant of a private hire vehicle licence such conditions as they may consider reasonably necessary in line with the provisions of Section 48 Local Government (Miscellaneous Provisions) Act 1976.
  - 3.13 If this application is refused the applicant has the right of appeal the decision to a Magistrates Court within 21 days.
- 

**Financial implications:**

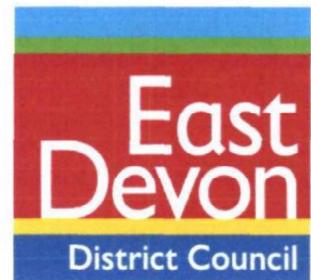
There are no financial implications in this report. If the applicant appeals against the decision made there may be a possibility of court costs.

**Legal implications:**

The legal implications are contained within the report.

East Devon District Council  
 Blackdown House, Border Road, Heathpark Industrial Estate, Honiton,  
 EX14 1EJ

Tel: 01404 515616  
 www.eastdevon.gov.uk  
 DX 48808 Honiton



# Application for Private Hire Vehicle Licence

Vehicle Proprietor's Name and Address	
Name: Address: Post Code:	E-mail:  Tel No:

Company/Operator's Name and Address	
Name: <b>AXMINSTER PRIVATE HIRE</b> Address:  <b>AS ABOVE</b> Post Code:	E-mail:  Tel No:

**IMPORTANT NOTE:**

The Council's policy is that on initial licensing as a private hire, a vehicle shall be not more than four years old from the date of first registration as shown on the vehicle registration document.

This means that if you apply to licence a vehicle which is more than 4 years old, the application cannot be automatically granted by a Licensing Officer and will have to be considered by the Licensing Sub Committee who may either grant or refuse the application. The purchase of any vehicle is at your own risk.

**Vehicle details:** - Please complete one form per vehicle

Make/Model Colour	Registration No.	Passenger Seating Capacity	C.C. Petrol/ Diesel	Date of First Registration
FORD TOURNEO SILVER	WA18 TOV	8  WHEELCHAIR ACCESS YES/NO*	DIESEL	27/3/18

Has the vehicle to your knowledge been declared a 'write off' or 'potential write off' by the police or an insurance company and forms to that effect sent to DVLA?	<b>YES/NO</b>
---	---------------

Please be aware that any vehicle which has been categorised as a category A or B write off will not normally be accepted for a licence. Any vehicle categorised as a category C or D write off cannot be automatically granted by a Licensing Officer and will have to be considered by the Licensing Sub Committee who may either grant or refuse the application. If any vehicle licensed with this authority as a private hire vehicle is subsequently categorised as a category A, B, C or D write off by a relevant insurance company under the Code of Practice for the Disposal of Motor Vehicle Salvage this must be declared to the Licensing Authority.

Are the details as shown on the vehicle registration document correct and to your knowledge relate to the vehicle which you now apply to licence?	YES/NO
---	--------

Please note – if any of the information provided in this form changes during the licence term, you **MUST** notify the licensing service as soon as possible, either by emailing [licensing@eastdevon.gov.uk](mailto:licensing@eastdevon.gov.uk) or writing to the Licensing Service, East Devon District Council, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ.

**Data Protection**

Any personal information which you provide will be held and used by East Devon District Council for the purpose of the Licensing Service to process your private hire licence application(s) and administer any licence(s) which are granted. Your information may also be shared within East Devon District Council for the purposes of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed online at <http://eastdevon.gov.uk/privacy>

We may lawfully disclose information to other public sector agencies to:

- prevent or detect fraud and any other crime;
- support national fraud initiatives;
- protect public funds;
- progress your request for service.

We may additionally disclosure information to other public agencies for the purpose of protecting public safety and we may also use basic information about you, e.g. name and address, in other areas of service provision at East Devon District Council if this: -

- helps you to access our services more easily;
- promotes the more efficient and cost-effective delivery of services;
- helps us to recover monies that you owe us.

East Devon District Council are required under Section 6 of the Audit Commission Act 1998 to participate in the National Fraud initiative (NFI) data matching exercise. This means that taxi and private hire licence data will be provided to the Audit Commission for NFI and will be used for cross-system and cross authority comparison purposes for the prevention and detection of fraud.

We will not use your personal information in a way that may cause you unwarranted detriment.

**Your licence application will be valid for three months only from the date the Licensing Office receive the application.** By signing the declaration below you confirm that you are aware that, if your application is not completed within three months (which must include payment of the application fee), your paperwork may be destroyed and you will need to make a new application and supply a new vehicle compliance test form.

<b>Declaration of applicant:</b>	
I declare that the information provided in this form is true, complete and correct and that I have no objection to the same being verified and I understand that I may be liable to legal proceedings being taken against me or the revocation of any Hackney Carriage or Private Hire vehicle Licence which may be issued to me (or both) if my disclosures are found to be inaccurate or untrue	
<b>Signed:</b> 	<b>Date:</b> 20/4/23

<b>Fees and documentation checklist</b>	
<p>You must include the following with your application:</p> <ul style="list-style-type: none"> <li>• Fee (see below for fee payable)</li> <li>• Insurance certificate specifying use as a private hire vehicle</li> <li>• Vehicle compliance test form</li> <li>• Vehicle Registration Document (V5)</li> </ul> <p>We no longer need you to supply us with your MOT certificate as we will check this online through GOV.UK. <b>It is your responsibility to ensure your vehicle has a valid MOT if it is over 3 years old.</b></p>	
<b>FEES PAYABLE</b>	
1 Year Private Hire Vehicle Licence Fee	£262.00

## V5

### Driver & Vehicle Licensing Agency UK Registration Certificate

The full V5 vehicle registration document has been viewed by Licensing Officers and confirms that the vehicle is registered to Mr Jason Vincent.

It contains the following relevant information:

Registration Number:	WA18 TOV
Date of first registration:	27 03 2018
Date of first registration in the UK:	27 03 2018
Make:	Ford
Model:	Tourneo Custom 310 TI TDCI A
Body type:	MPV
Taxation class:	Diesel Car
Cylinder capacity (cc):	1995 CC
CO2 (g/km):	181 G/KM
Type of fuel:	Heavy Oil
Number of seats including driver:	9
Wheelplan:	2-AXLE-RIGID BODY
Vehicle Category:	M1
Max. net power (kW)	96
Colour:	Silver
<b>Exhaust Emissions</b>	
CO (g/km or g/kWh)	0.267
HC (g/km or g/kWh)	
NOx (g/km or g/kWh)	0.061
HC + NOx (g/km)	0.083
Particulates (g/km or g/kWh)	0.001



## Check MOT history

This is a new service – [Complete a quick survey \(https://www.smartsurvey.co.uk/s/GIZZX?vrn=WA18TOV&make\\_result=FORD&model\\_result=TOURNEO&mot\\_first\\_used\\_date=2018-03-27&vehicle\\_age=1921&mot\\_expiry\\_date=2024-04-24&mot\\_expiry\\_date\\_days\\_left=299&user\\_satisfaction\\_banner=0&vehicle\\_data\\_origin=MTS&vehicle\\_type=LGV\)](https://www.smartsurvey.co.uk/s/GIZZX?vrn=WA18TOV&make_result=FORD&model_result=TOURNEO&mot_first_used_date=2018-03-27&vehicle_age=1921&mot_expiry_date=2024-04-24&mot_expiry_date_days_left=299&user_satisfaction_banner=0&vehicle_data_origin=MTS&vehicle_type=LGV) to help us improve.

[< Back](#)

# WA18 TOV FORD TOURNEO

[Check another vehicle \(/\)](#)

Colour

**Silver**

Fuel type

**Diesel**

Date registered

**27 March 2018**

MOT valid until

**24 April 2024**

[Get an MOT reminder \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder) by email or text.

[Download test certificates \(/enter-v5c?registration=WA18TOV\)](/enter-v5c?registration=WA18TOV)

If you think the MOT expiry date or any of the vehicle details are wrong: [contact DVSA \(https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes\)](https://www.gov.uk/getting-an-mot/correcting-mot-certificate-mistakes).

[^ Hide all sections](#)

## MOT history

Check mileage recorded at test, expiry date, and test outcome

[^ Hide](#)

Date tested

**11 April 2023**

**PASS**

Mileage

**249,087 miles**

Test location

▶ [View test location](#)

MOT test number

**5859 2843 9140**

Expiry date

**24 April 2024**

Monitor and repair if necessary (advisories):

- **Oil leak, but not excessive (8.4.1 (a) (i))**
- **Offside Front Track rod end ball joint has slight play (2.1.3 (b) (i))**
- **Nearside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**

▶ [What are advisories?](#)

---

Date tested

**11 April 2023**

**FAIL**

Mileage

**249,087 miles**

Test location

▶ [View test location](#)

MOT test number

**6348 3008 5935**

Repair immediately (major defects):

- **Nearside Rear Direction indicator incorrect colour (4.4.3 (a))**
- **Offside Rear Direction indicator incorrect colour (4.4.3 (a))**
- **Offside Front Direction indicator incorrect colour (4.4.3 (a))**
- **Nearside Side repeater incorrect colour (4.4.3 (a))**
- **Offside Side repeater incorrect colour (4.4.3 (a))**

Monitor and repair if necessary (advisories):

- **Oil leak, but not excessive (8.4.1 (a) (i))**
- **Offside Front Track rod end ball joint has slight play (2.1.3 (b) (i))**
- **Nearside Front Tyre worn close to legal limit/worn on edge (5.2.3 (e))**

▶ [What are defects and advisories?](#)

---

Date tested

**1 April 2022**

**PASS**

Mileage

**171,386 miles**

Test location

▶ [View test location](#)

MOT test number

**2742 8474 0035**

Expiry date

**24 April 2023**

Date tested

**6 April 2021****PASS**

Mileage

**114,231 miles**

Test location

[▶ View test location](#)

MOT test number

**9275 8263 7397**

Expiry date

**24 April 2022**

Monitor and repair if necessary (advisories):

- **Nearside Rear Outer Anti-roll bar linkage pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Offside Rear Outer Anti-roll bar linkage pin or bush worn but not resulting in excessive movement (5.3.4 (a) (i))**
- **Rear Brake pad(s) wearing thin (1.1.13 (a) (ii))**

[▶ What are advisories?](#)

Date tested

**9 April 2020****PASS**

Mileage

**78,569 miles**

Test location

[▶ View test location](#)

MOT test number

**1962 2004 0365**

Expiry date

**24 April 2021**

Date tested

**25 April 2019****PASS**

Mileage

**27,270 miles**

Test location

[▶ View test location](#)

MOT test number

**2486 5071 8335**

Expiry date

24 April 2020

### The MOT test changed on 20 May 2018

Defects are now categorised according to their severity - dangerous, major, and minor. [Find out more \(https://www.gov.uk/government/news/mot-changes-20-may-2018\)](https://www.gov.uk/government/news/mot-changes-20-may-2018).

## Check for vehicle recalls

See if FORD TOURNEO WA18TOV has outstanding recalls

[^ Hide](#)

### No recalls found.

This information is provided by the vehicle manufacturer. If you think the recall information is wrong, contact your local dealership.

[Cookies](#) [Terms and conditions](#) [Privacy notice](#) [Accessibility statement](#)

[MOT history API](#) [Service status](#)

Built by the [Driver & Vehicle Standards Agency](#).

### OGI

All content is available under the [Open Government Licence v3.0](#), except where otherwise stated

[© Crown copyright](#)



# VEHICLE INSPECTION REPORT

## PRIVATE HIRE VEHICLES

\* BEFORE COMPLETION, PLEASE READ NOTES OVERLEAF

Make <b>FORD</b>	Model <b>TRANSIT</b>	Reg.No. <b>WAH8TOV</b>	Plate No. <b>£</b>
Rec. Mileage <b>24921</b>	Date <b>19.06.23</b>	Petrol/Diesel <b>DIESEL</b>	cc <b>1995</b>

Testable item	Pass			Testable item	Pass			Testable item	Pass		
	Pass	Fail	Advs		Pass	Fail	Advs		Pass	Fail	Advs
Rear view mirrors	/	/	/	O/S/R tyre wall/size/valve fit	/	/	/	O/S/F wheel condition	•	/	/
Driver's seat and back rest	/	/	/	O/S/R wheel security/condition	/	/	/	O/S/F wheel bearing condition	•	/	/
Note recorded miles of speedo	/	/	/	O/S fuel cap	/	/	/	O/S/F drive shaft/CV joint	•	/	/
Front passenger seat/back rest	/	/	/	O/S/R shock absorber	/	/	/	O/S/F suspension cond/security	•	/	/
Both doors/internal security	/	/	/	Rear tail gate/boot/door security	/	/	/	N/S/F tyre wall/fit/tread	•	/	/
Steering wheel/mechanism/condition	/	/	/	Rear floor/belt mtgs/shock abs mtgs	/	/	/	N/S/F wheel condition	•	/	/
Power Steering (if fitted)	◆	/	/	Tail lights condition/operation	/	/	/	N/S/F wheel bearing condition	•	/	/
Servo operation (if fitted)	◆	/	/	Stopfog lights condition/operation	/	/	/	N/S/F drive shaft/CV joint	•	/	/
Footbrake operation/condition	/	/	/	Indicators condition/operation rate	/	/	/	N/S/F suspension cond/security	•	/	/
ABS system warning light (if fitted)	/	/	/	Hazard warning operation/rate	/	/	/	Lock to lock checks (turn plates)	/	/	/
Handbrake operation/condition	/	/	/	Number plate lights and reflectors	/	/	/	Suspension check-Shake O/S wheel	/	/	/
Light switches/warning lights	/	/	/	Number plate condition/spacing	/	/	/	Suspension check-Shake N/S wheel	/	/	/
Screen wipers/washers operation	/	/	/	Private Hire plate-exterior *	/	/	/	O/S/R tyre wall/fit/tread	•	/	/
Windscreen condition/vision	/	/	/	Exterior advertising *	/	/	/	O/S/R wheel condition	•	/	/
Horn control/operation	/	/	/	N/S/R s/absorber & body damage	/	/	/	O/S/R wheel bearing condition	•	/	/
Belt Requirements front/3 rear *	/	/	/	N/S fuel cap	/	/	/	O/S/R drive shaft/CV joint	•	/	/
Belt condition/operation/anchorages	/	/	/	N/S/R tyre wall/size/valve fit	/	/	/	O/S/R suspension cond/security	•	/	/
Interior Light	/	/	/	N/S/R wheel security/condition	/	/	/	N/S/R tyre wall/fit/tread	•	/	/
Door catches/door/window	•	/	/	N/S/R door security/rear back rest	/	/	/	N/S/R wheel condition	•	/	/
Fire extinguisher	•	/	/	N/S/R out in sills/floor/belt mountings	/	/	/	N/S/R wheel bearing condition	•	/	/
Excise license - current	/	/	/	N/S/F door security/ext mirror	/	/	/	N/S/R drive shaft/CV joint	•	/	/
Foot pedal rubbers	/	/	/	N/S/F out in sills/floor/belt mountings	/	/	/	N/S/R suspension cond/security	•	/	/
First Aid Kit	•	/	/	N/S repeater lamp condition (if fitted)	/	/	/	O/S/F brake components cond/leak	◆	/	/
Vehicle interior including boot	•	/	/	N/S/F tyre wall/size/valve fit	/	/	/	Front chassis members/suspension	/	/	/
Private Hire No. interior badge	•	/	/	Ball joint/wheel security/condition	/	/	/	N/S/F brake components cond/leak	◆	/	/
Motor operation	/	/	/	N/S wiper blade cond/screen cond	/	/	/	Mid chassis members/suspension	/	/	/
Tag/ card	•	/	/	N/S/F shock absorber	/	/	/	O/S structure/pipes/cables/hoses	◆	/	/
Vehicle exterior inc cleanliness	•	/	/	Under bonnet brake system/mtgs.	/	/	/	O/S/R brake components cond/leak	◆	/	/
Roof Sign	/	/	/	Pipes/hoses/rear cylinder/servo	◆	/	/	R/chassis members/susp/brk/steer	/	/	/
Number plate condition/spacing	/	/	/	Handbrake mechanism	/	/	/	N/S/R brake components cond/leak	◆	/	/
Side-H/lamp type/condition/operation	/	/	/	Suspension mounts/cond/corrosion	/	/	/	N/S structure/pipes/cables/hoses	◆	/	/
Indicators condition/operation/rate	/	/	/	Battery security/VIN No.	/	/	/	L/exhaust cond/leaks/prop shaft	◆	/	/
Hazard warning operation/rate	/	/	/	Fuel system leakage	◆	/	/	H/brake mechanisms/linkage/cables	◆	/	/
Headlamp condition/aim (use equip)	/	/	/	Exhaust system leaks	◆	/	/	O/S/F footbrake perform. check	◆	/	/
O/S/F s/absorber & body damage	/	/	/	Servo vacuum hose (if fitted)	◆	/	/	N/S/F footbrake perform. check	◆	/	/
O/S/F tyre wall/size/valve fit	/	/	/	PAS pump drive pipes(if fitted)	◆	/	/	Both front brakes balance check	◆	/	/
Ball joint/wheel security/condition	/	/	/	Diesel pump-pipes-cambell-oil level	/	/	/	Handbrake O/S perform. check	◆	/	/
O/S wiper blade cond/screen cond	/	/	/	Steering components (rock str wheel)	/	/	/	Handbrake N/S perform. check	◆	/	/
O/S repeater lamp condition (if fitted)	/	/	/	Repeat & check from under vehicle	/	/	/	O/S/R footbrake perform. check	◆	/	/
O/S/F door security/ext mirror	/	/	/	Str box rack condition/wear/mtgs	/	/	/	N/S/R footbrake perform. check	◆	/	/
O/S/F out in sills/floor/belt mountings	/	/	/	Ball joints condition/wear/play	/	/	/	Both rear brakes comparison check	◆	/	/
O/S/R door security/rear back rest	/	/	/	Track rods-steer arm cond/security	/	/	/	Exhaust emission (last or first)	◆	/	/
O/S/R out in sills/floor/belt mountings	/	/	/	O/S/F tyre wall/fit/tread	•	/	/				

◆ ENGINE RUNNING    ■ FOOTBRAKE APPLIED    ● JACKING BEAM IN USE    READINGS OBTAINED

Tester's Signa	CO2	46	FRONT	NEAR SIDE	570	OFF SIDE	570
	HC	TEST 1	REAR	NEAR SIDE	400	OFF SIDE	390
	CO2	46	PARK	NEAR SIDE	260	OFF SIDE	260
	HC	TEST 2					

THE EXAMINER SHOULD NOTE THAT THE VEHICLE MUST PASS TO M.O.T. STANDARD IN ADDITION TO THE OTHER ITEMS LISTED ON THIS INSPECTION REPORT

**\*NOTES FOR GUIDANCE**

- Saloon and hatchbacks must be fitted with 3 rear seatbelts. People carriers etc must have a belt for every seat.
- The vehicle should have 4 doors and boot or rear tailgate. All doors and windows should work correctly.
- The fire extinguisher should be readily available for use in emergency and of a suitable type.
- The First Aid Kit should contain suitable items for use by drivers.
- The body interior including the boot should be in a clean condition with the seats and floor properly covered and maintained fit for public service.
- The body exterior should be free from damage and in a clean condition.
- The vehicle exterior should be free from damage and in clean condition. No use shall be made of the words "Taxi", "Cab", "Kab" or any phonetically or visually similar words or names on the vehicle.
- The Private Hire plate must be fixed to the **outside** rear of the vehicle on, above or below the bumper and must not be defaced or illegible

Advertising is allowed on the front doors only. Maximum size must not exceed 70cm x 35cm. No use shall be made of the words "Taxi", "Cab", "Kab" or any phonetically or visually similar words or names on the vehicle.

NB 'No Smoking' signs should be displayed to comply with The Health Act (2006).

<b>MOT EXPIRY DATE</b> (Note: all Private Hire vehicles over 36 months old must have a current MOT)	Certificate No. 5859 2843 9140	Date of Issue 11.04.2023
--	-----------------------------------	-----------------------------

FOR OTHER ADVICE PLEASE TELEPHONE EAST DEVON DISTRICT COUNCIL LICENSING OFFICE  
ON 01404 515616

**CERTIFICATE**

I HEREBY CERTIFY that I am an authorised Department of Transport Tester/Inspector and I have carried out the various examinations of the vehicle schedule overleaf and found the vehicle to be safe, comfortable and in sound mechanical condition.

I have also checked the fare meter over the prescribed distances as shown in the table of fares.

Signed:  <small>Authorised to sign Department of Transport Test Certificates</small>	Date: 19.06.23
Name in BLOCK CAPITALS 	Vehicle Testing Station No: 1ALE 33
Name of Garage Shrubbery MOT Centre DT7 3XW  Telephone No: 	AUTHENTICATION STAMP



## Check if a vehicle is taxed and has an MOT

### WA18 TOV

✓ Taxed

Tax due:  
1 October 2023

▶ [Incorrect tax status?](#)

✓ MOT

Expires:  
24 April 2024

▶ [Incorrect MOT status?](#)

ⓘ If you've just bought this vehicle the [tax](https://www.gov.uk/vehicle-tax) or [SORN](https://www.gov.uk/make-a-sorn) doesn't come with it. You'll need to [tax](https://www.gov.uk/vehicle-tax) it before driving it.

### Vehicle Details

**Vehicle make**

FORD

**Date of first registration**

March 2018

**Year of manufacture**

2018

**Cylinder capacity**

1995 cc

**CO<sub>2</sub> emissions**

181 g/km

**Fuel type**

DIESEL

**Euro status**

Not available

**Real Driving Emissions (RDE)**

Not available

**Export marker**

No

---

**Vehicle status**

Taxed

---

**Vehicle colour**

SILVER

---

**Vehicle type approval**

M1

---

**Wheelplan**

2 AXLE RIGID BODY

---

**Revenue weight**

3140 kg

---

**Date of last V5C (logbook) issued**

11 May 2023

---

**Additional Rate applicable until**

31 January 2024

---

**View the tax rates for this vehicle**

If you have the latest 11 digit reference number from the V5C registration certificate (logbook) you can [view the tax rates for this vehicle.](#) ([EnterV5C?locale=en](#))

---

► [Incorrect vehicle details?](#)

[Return to GOV.UK \(https://www.gov.uk/done/check-vehicle-tax?\)](https://www.gov.uk/done/check-vehicle-tax?)

---

[Print this page](#)

[Search for another vehicle. \(?locale=en\)](#)

---

**DVLA services**

[Tax your vehicle \(https://www.gov.uk/vehicle-tax\)](https://www.gov.uk/vehicle-tax)

[Get a vehicle logbook \(V5C\) \(https://www.gov.uk/vehicle-log-book\)](https://www.gov.uk/vehicle-log-book)

[Register your vehicle as off the road \(SORN\) \(https://www.gov.uk/make-a-sorn\)](https://www.gov.uk/make-a-sorn)

[Change your vehicle's tax class \(https://www.gov.uk/change-vehicle-tax-class/\)](https://www.gov.uk/change-vehicle-tax-class/)

[Tell DVLA you've sold, transferred or bought a vehicle \(https://www.gov.uk/sold-bought-vehicle\)](https://www.gov.uk/sold-bought-vehicle)

[Update your vehicle's address \(https://www.gov.uk/change-address-v5c\)](https://www.gov.uk/change-address-v5c)

[Report an untaxed vehicle \(https://www.gov.uk/report-untaxed-vehicle\)](https://www.gov.uk/report-untaxed-vehicle)

[Check you're not buying a stolen vehicle \(https://www.gov.uk/checks-when-buying-a-used-car\)](https://www.gov.uk/checks-when-buying-a-used-car)

[Check if your vehicle can run on E10 petrol \(https://www.gov.uk/check-vehicle-e10-petrol\)](https://www.gov.uk/check-vehicle-e10-petrol)

---

**DVSA services**

[Check the MOT history of a vehicle \(https://www.gov.uk/check-mot-history\)](https://www.gov.uk/check-mot-history)

[Get MOT Reminders \(https://www.gov.uk/mot-reminder\)](https://www.gov.uk/mot-reminder)

[Report a vehicle with no MOT \(https://www.gov.uk/report-no-mot\)](https://www.gov.uk/report-no-mot)

[MOTs for vehicles registered in Northern Ireland \(https://www.nidirect.gov.uk/information-and-services/motoring/mot-and-vehicle-testing\)](https://www.nidirect.gov.uk/information-and-services/motoring/mot-and-vehicle-testing)

[Check if a vehicle, part or accessory has been recalled \(https://www.gov.uk/check-vehicle-recall\)](https://www.gov.uk/check-vehicle-recall)

---

[Cookies \(/cookie\\_policy?locale=en\)](/cookie_policy?locale=en) [Terms and Conditions \(/TermsAndConditions?locale=en\)](/TermsAndConditions?locale=en)

[Cymraeg \(/VehicleFound?locale=cy\)](/VehicleFound?locale=cy)

[Privacy Information Notice \(https://www.gov.uk/government/publications/dvla-privacy-policy\)](https://www.gov.uk/government/publications/dvla-privacy-policy)

[Accessibility \(/AccessibilityStatement?locale=en\)](/AccessibilityStatement?locale=en)

Built by the [Driver & Vehicle Licensing Agency \(https://dvladigital.blog.gov.uk/\)](https://dvladigital.blog.gov.uk/)

**OGL** (<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>)

All content is available under the [Open Government Licence v3.0 \(https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/\)](https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/), except where otherwise stated

[it \(https://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/uk-government-licensing-framework](https://www.nationalarchives.gov.uk/information-management/re-using-public-sector-information/uk-government-licensing-framework)

## Insurance Certificate details

The full insurance certificate has been viewed by Licensing Officers and contains the following information:

**1. Description of vehicle(s)**

Registration/Chassis mark of vehicle: WA18TOV

**2. Name of policyholder**

Mr J Vincent T/AS Axminster Cabs

**3. Effective date and time of the commencement of insurance for the purpose of the relevant law**

20 April 2023 18:00

**4. Date of expiry of insurance**

29 August 2023

**5. Persons or classes of persons entitled to drive**

Any person who is driving on the order or with the permission of the policyholder.

Providing that the person driving has a licence to drive the vehicle or has held and is not disqualified from or prohibited by law from holding or obtaining such a licence.

**6. Limitations as to use**

- A. Use for private hire, including the carriage of passengers and goods for hire or reward.
- B. Use for social, domestic and pleasure purposes

**Unless specified under section 6 of this certificate of insurance, this policy does not cover:** Use for hiring, the letting on hire, the carriage of passengers and goods for hire or reward, racing, pacemaking, use in any contest, reliability or speed trial or the use for any purpose in connection with the motor trade.























Van Inspection

# Vehicle Inspection Report



WA18 TOV  
Ford Tourneo Custom 310 Ti Tdci A



---

Inspection Ref: [REDACTED]

03/05/23

---

**Van Inspection**

**Inspection information:**

Inspection Reference: [REDACTED]	Vehicle Registration:	WA18 TOV
Inspection Date: 03/05/23	Make/Model:	Ford Tourneo Custom 310 Ti Tdc A
Inspection Time: 11.15 am	Colour:	Silver
Inspector: [REDACTED]	Speedometer Reading:	249'165-miles

**Report Summary:**



Van Overview. WA18 TOV

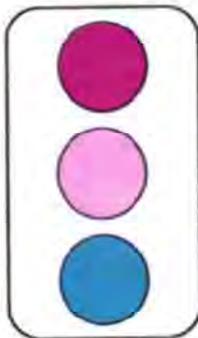


Essential & advisable repairs required - not suitable for purchase unless all essential repairs are undertaken and advisable repairs, if any, are planned and budgeted for.

---

 Inspection Ref:
 

---

**The traffic light assessment system:**


- Red** Essential repair requiring immediate attention.
- Yellow** Advisable repair which should be budgeted for prior to purchase.
- Green** Satisfactory for age and recorded mileage of the vehicle.
- N/A Not applicable.
- Could not be checked.

Please note: Right = Off side (O/S) and Left = Near side (N/S) as viewed from the driver's seat.

**Red:**

- Coolant level/condition – coolant level below minimum mark.
- Antifreeze: protection low,  $-7^{\circ}\text{C}$ .
- Engine oil leak front and underside.
- Nearside-rear light cluster faulty (stop lights, indicator/hazard lights/sidelights/running lights); all lights are dim.
- Rear screen washer inoperable.
- Droning noise from offside-front, over 30-mph; further investigation is required.
- Brake-pad warning-light on dash.
- Brake-pad wear warning-light on.

**Yellow:**

- Offside-rear window glass scratched.
- Battery voltage low.
- Stone-chips to windscreen.
- Cranking voltages low.
- Slight oil leak transmission.
- Nearside-front lower ball-joint has grease egress.
- High mileage vehicle.
- Alloy-wheels – scuff-marks
- Please see Bodywork and Interior Comments.

**Green:**

- Please read the report fully for your safety, guidance and protection. If any issues are identified above, they cannot be fully diagnosed in the confines of a pre purchase report. Further investigation into the issues identified within the report would be required to confirm the actual cause. We would recommend all defects are considered for repair and discounts are avoided as costs of repairs can increase as investigations are completed.
- 1 key present.
- There is no tow-bar fitted to the vehicle.
- Locking wheel nut N/A.

ALL REPAIRS COMPLETE  
PLEASE SEE INVOICE

---

Inspection Ref: [REDACTED]

03/05/23

---

**Interior & Bodywork Comments:**

Tailgate re-painted.

Offside-front sill repair – plate welded in.

Bonnet: damage.

Nearside-rear wing: dent.

Rear door: poor previous repair.

Rear-bumper: poor previous repair.

**Photographs:**



Offside Front

Inspection Ref: [REDACTED]

03/05/23



Nearside Rear

Inspection Ref: [REDACTED]

03/05/23



Offside Rear

Inspection Ref: [REDACTED]

03/05/23



Rear Light Unit

Inspection Ref: [REDACTED]

03/05/23



Front Seats

Inspection Ref: [REDACTED]

03/05/23



Rear Seats

Inspection Ref: [REDACTED]

03/05/23



Rear

Inspection Ref: [REDACTED]

03/05/23



Rear

Inspection Ref: [REDACTED]

03/05/23



Front

Inspection Ref: [REDACTED]

03/05/23



Overview

Inspection Ref: [REDACTED]

03/05/23



Loading



Inspection Ref: [REDACTED]

03/05/23



Vin

Inspection Ref: [REDACTED]

03/05/23



Miles

Inspection Ref: [REDACTED]

03/05/23



Miles Info

Inspection Ref: [REDACTED]

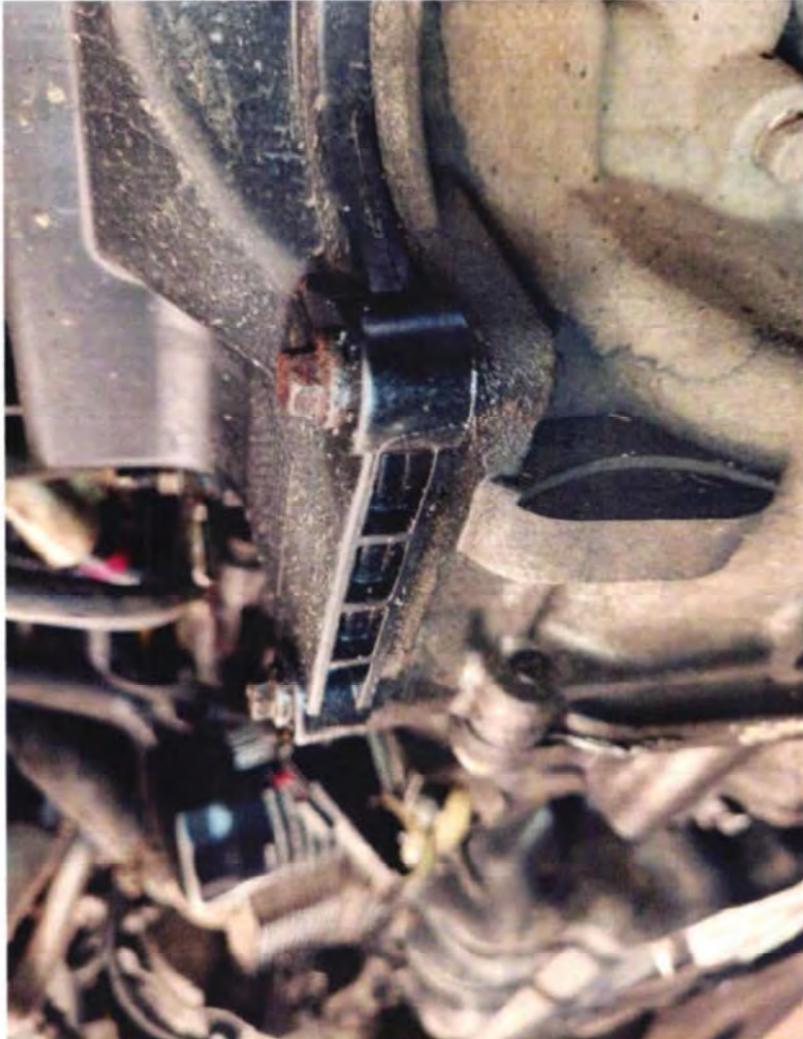
03/05/23



Underside

Inspection Ref: [REDACTED]

03/05/23



Underside

Inspection Ref: [REDACTED]

03/05/23



Ball Joint Condition

Inspection Ref: [REDACTED]

03/05/23



Underside

Inspection Ref: [REDACTED]

03/05/23



Electrics

Inspection Ref: [REDACTED]

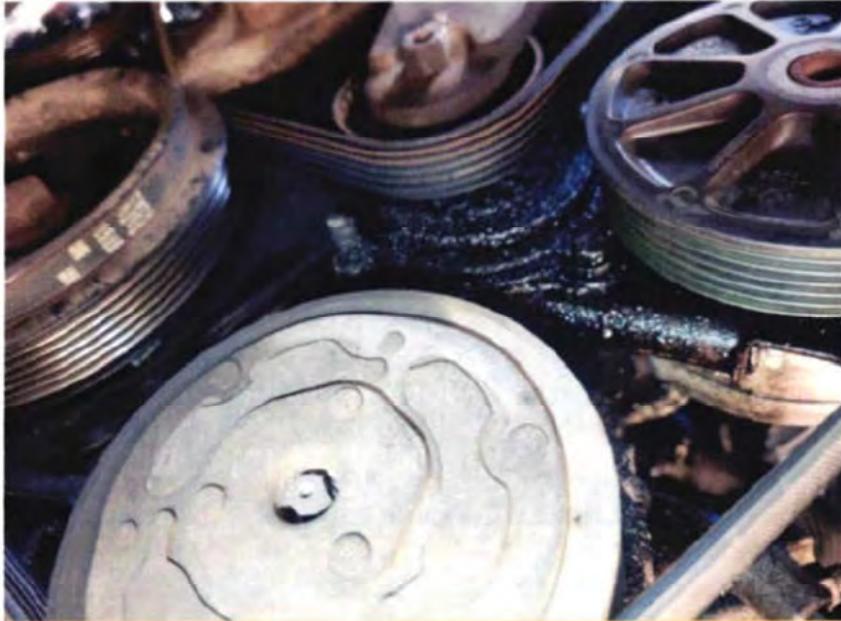
03/05/23



Underside

Inspection Ref: [REDACTED]

03/05/23



Drive Belt Condition

Inspection Ref: [REDACTED]

03/05/23



Vin

Inspection Ref: [REDACTED]

03/05/23



Drive Belt Condition

Inspection Ref: [REDACTED]

03/05/23



Underside

Inspection Ref: [REDACTED]

03/05/23



Oil Leak

Inspection Ref: [REDACTED]

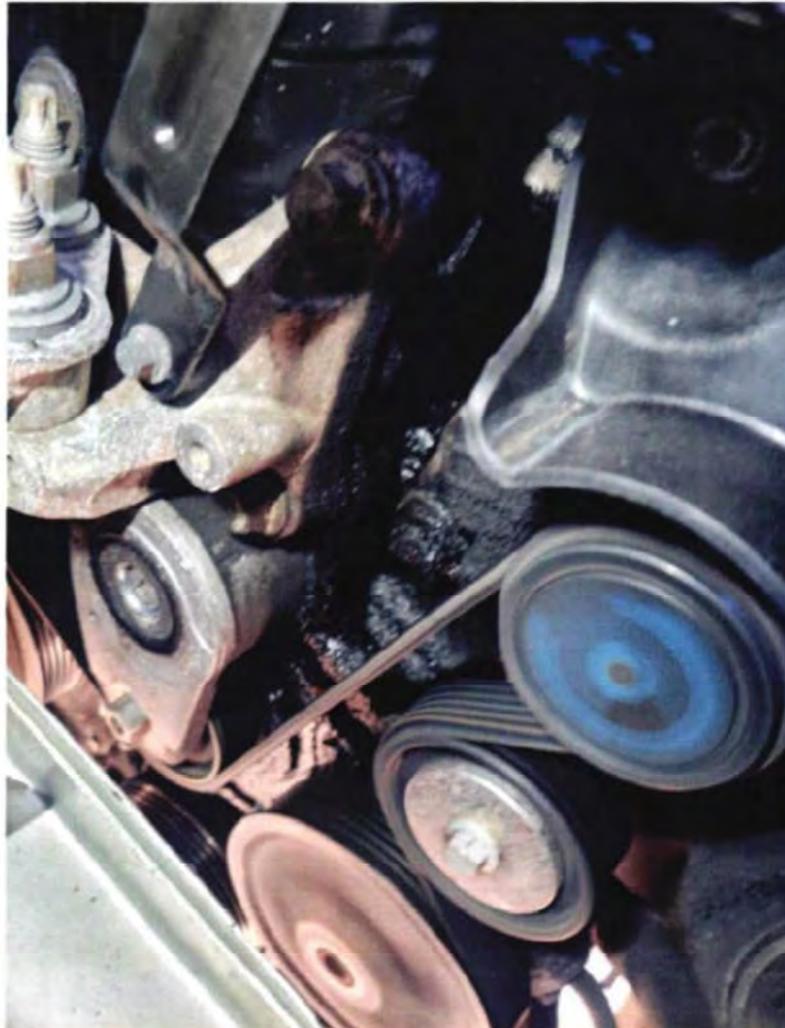
03/05/23



Damage

Inspection Ref: [REDACTED]

03/05/23



Oil Leak

Inspection Ref: [REDACTED]

03/05/23



Alloy Wheel Condition

Inspection Ref: [REDACTED]

03/05/23



Alloy Wheel Condition

Inspection Ref: [REDACTED]

03/05/23



Alloy Wheel Condition

Inspection Ref: [REDACTED]

03/05/23



Alloy Wheel Condition

Inspection Ref: [REDACTED]

03/05/23



Stone Chips Dent

Inspection Ref: [REDACTED]

03/05/23



Paint Chip Panel not fitting

Inspection Ref: [REDACTED]

03/05/23



Paint Condition

Inspection Ref: [REDACTED]

03/05/23



Paint Condition

Inspection Ref: [REDACTED]

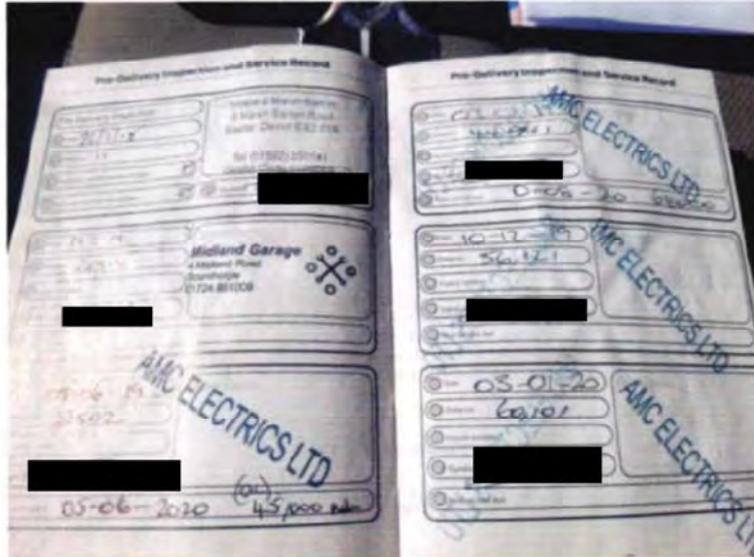
03/05/23



Damage

Inspection Ref [REDACTED]

03/05/23



Service History

Inspection Ref: [REDACTED]

03/05/23

**MOT test certificate**

Vehicle identification number  
[REDACTED]

Registration number: WA18TOV Country of registration: GB

Make and model: FORD TOURNEO

Vehicle category: M1 Mileage: 249,087 miles Mileage history:

Mileage	Date
171,386 miles	01.04.2022
194,231 miles	06.04.2021
78,569 miles	09.04.2020

**Pass**

**Monitor and repair if necessary (advisories)**

- Oil leak, but not excessive [8.4.1 (a) (i)]
- Track rod end ball joint has slight play Offside Front [2.1.3 (b) (i)]
- Tyre worn close to legal limit/worn on edge Nearside Front [5.3.2 (a)]

Date of the test: 06.04.2023 Expiry date: 24.04.2024

To preserve the accuracy of the expiry date, the earliest you can present your vehicle for test is 25.03.2024.

Location of the test  
[REDACTED]

Testing organisation and inspector name  
[REDACTED]

Test number: 72843 9140

State certificate issued by DVSA on 29 April 2023

that this document is genuine by visiting [www.gov.uk/check-mot-history](http://www.gov.uk/check-mot-history)

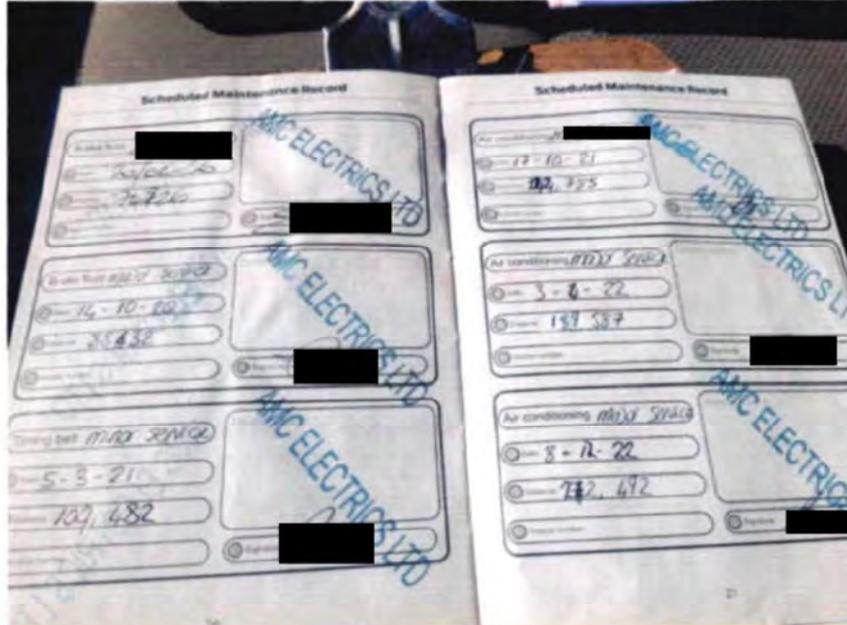
the details are not correct, please contact DVSA by email at [s@dvs.gov.uk](mailto:s@dvs.gov.uk) or by telephone on 0300 1239000.

free annual MOT reminder by subscribing [www.gov.uk/mot-reminder](http://www.gov.uk/mot-reminder) or by telephone on 0300 1239000.

Mot

Inspection Ref: [REDACTED]

03/05/23



Service History

Inspection Ref: [REDACTED]

03/05/23



V5

Inspection Ref: [REDACTED]

03/05/23

## Inspection Detail:

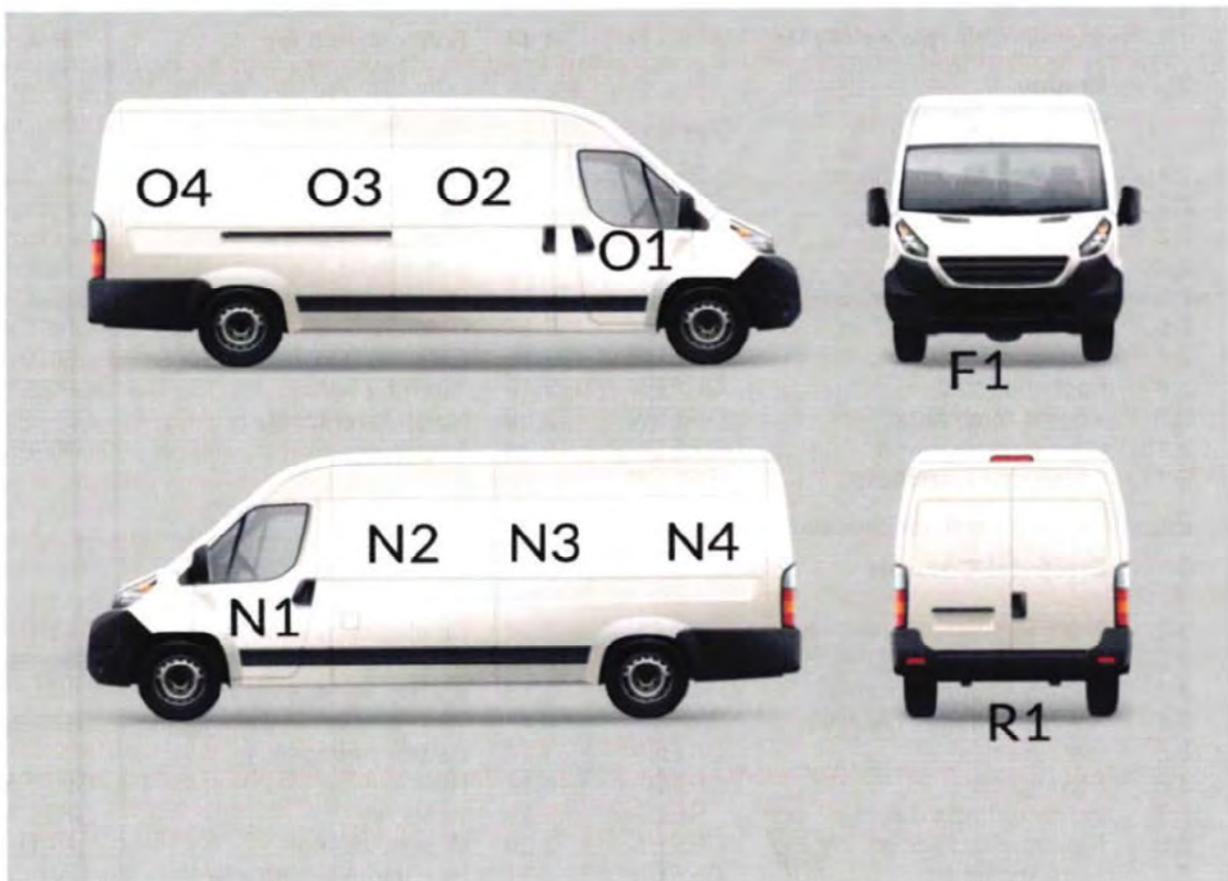
## General Information:

Vehicle identification number: [REDACTED]  
V5/Registration document available: Yes  
MOT certificate available: Yes  
MOT Expiry date: 24/04/24

Speedometer readings:  
Start of inspection: 249'165 miles  
End of inspection: 249'171 miles

Lighting: Good  
Weather: Dry  
Method Of Underbody Inspection: Jack

## Bodywork Exterior:



Inspection Ref: [REDACTED]

03/05/23

Evidence of bodywork repair:	Yes		
Bodywork clean and dry:	Yes		
B Bonnet:	AMBER	O1 Offside front wing/door:	GREEN
F1 Front bumper/grille:	GREEN	O2 Offside panel section:	GREEN
F1 Front panel:	GREEN	O3 Offside rear door:	GREEN
N1 Nearside front wing/door:	GREEN	O4 Offside rear wing:	GREEN
N2 Nearside panel section:	GREEN	R1 Rear bumper:	AMBER
N3 Nearside rear door:	GREEN	R1 Rear doors:	AMBER
N4 Nearside rear wing:	AMBER	RO Roof:	GREEN

Minor blemishes, which are acceptable fair wear and tear for the vehicle's age, recorded mileage and type, are not recorded and you should satisfy yourself in this regard.

### 1 Body Exterior

1.1 Glass:	AMBER	1.8 Body damage:	AMBER
1.2 Body panels:	AMBER	1.9 Door locks/operation:	GREEN
1.3 Corrosion:	GREEN	1.10 Bonnet catch:	GREEN
1.4 Fuel filler cover/cap:	GREEN	1.11 Mud flaps:	GREEN
1.5 Bonnet hinges:	GREEN	1.12 Panel condition/alignment:	GREEN
1.6 Paintwork:	AMBER	1.13 Exterior trim/grille:	GREEN
1.7 Bumpers/No. plates:- Fr/Rr:	AMBER	1.14 Soft top/Hard top:	N/A

### 2 Engine

Engine type:	Diesel		
2.1 Coolant level/condition:	RED	2.12 Power steering oil level:	GREEN
2.2 Turbo:	GREEN	2.13 Coolant leaks:	GREEN
2.3 Clutch fluid:	N/A	2.14 Fuel pump/pipes:	GREEN
2.4 Antifreeze*:	-7°C	2.15 Brake fluid:	GREEN
2.5 Accelerator linkage:	GREEN	2.16 Radiator/cap:	GREEN
2.6 Engine oil level:	GREEN	2.17 Cold starting:	GREEN
2.7 Hoses/ pipes:	GREEN	2.18 External leak (upper engine):	RED
2.8 Fast idle (cold):	GREEN	2.19 Auxiliary belt:	GREEN
2.9 Engine mountings:	GREEN	2.20 Noise level (cold):	GREEN
2.10 Visible water pump:	GREEN	2.21 Fuel injection:	GREEN
2.11 Excess fumes/smoke:	GREEN		

Engine numbers are not checked.

### 3 Electrical Controls

3.1 Starting system/ignition lock:	GREEN	3.13 Sidelights/running lights:	RED
3.2 Controls/switches:	GREEN	3.14 Battery condition:	GREEN
3.3 Battery voltages normal:	11.87v	3.15 Battery voltages starting:	8.87v
3.4 Battery voltages charging:	14.97v	3.16 Rear & number plate lights:	GREEN
3.5 Instruments:	GREEN	3.17 Battery voltages:	AMBER
3.6 Stop lights:	RED	3.18 Horn:	GREEN
3.7 Indicator/hazard lights:	RED	3.19 Windows:	GREEN
3.8 Reverse/Fog lights:	GREEN	3.20 Wipers/washers:	RED
3.9 Auxiliary lights:	GREEN	3.21 Headlamp wash/wipe:	N/A
3.10 Headlights:	GREEN	3.22 Interior/panel lights:	GREEN
3.11 Mirrors (electrical)	GREEN	3.23 Radio/Aerial:	GREEN
3.12 Heater/Fan Controls	GREEN	3.24 Air Con operation:	GREEN

Inspection Ref: [REDACTED]

03/05/23

**4 Interior**

4.1	Seat adjustment:	GREEN	4.4	Internal mirrors:	GREEN
4.2	Boot/tailgate lock:	GREEN	4.5	Seatbelts:	GREEN
4.3	Load space condition:	GREEN			

**5 Front Suspension / Steering / Under Frame**

5.1	Engine underside leakage:	RED	5.8	Wheel hubs/bearings:	GREEN
5.2	Sub-frames/mountings:	GREEN	5.9	Steering & ball joints:	AMBER
5.3	Springs/suspension units:	GREEN	5.10	Suspension arms/mountings:	GREEN
5.4	Steering rack/box:	GREEN	5.11	Pipes/hoses:	GREEN
5.5	Tie bars/anti roll bars:	GREEN	5.12	Chassis members:	GREEN
5.6	Dampers (condition/leaks):	GREEN	5.13	Corrosion - floor/chassis:	GREEN
5.7	Power steering (operation):	GREEN	5.14	Gaiters:	GREEN

**6 Rear Suspension / Under Frame**

6.1	Spring/suspension bars:	GREEN	6.7	Location rods/fixings:	GREEN
6.2	Sub-frames/mountings:	GREEN	6.8	Anti roll bar:	GREEN
6.3	Bump stops/gaiters:	GREEN	6.9	Chassis members:	GREEN
6.4	Dampers/bushes:	GREEN	6.10	Wheel hubs/bearings:	GREEN
6.5	Corrosion - floor/chassis:	GREEN	6.11	Suspension arms/fixings:	GREEN
6.6	Pipes/hoses:	GREEN	6.12	Corrosion protection:	GREEN

**7 Clutch / Transmission**

Clutch / Transmission type: Automatic, Front Wheel Drive

7.1	Fluid/oil leaks:	AMBER	7.8	Casings:	GREEN
7.2	Backlash:	GREEN	7.9	Cables/adjustments:	GREEN
7.3	Mountings:	GREEN	7.10	Gaiters:	GREEN
7.4	Hydraulic system:	N/A	7.11	Drive shaft assembly:	GREEN
7.5	Propshaft(s)/fittings:	N/A	7.12	Linkage (wear):	GREEN
7.6	Universal/sliding joints:	N/A	7.13	Bearings/supports:	GREEN
7.7	Manual fluid level check:	GREEN	7.14	Level warning message:	N/A

**8 Exhaust System**

8.1	Manifold:	-	8.5	Silencer:	GREEN
8.2	Pipes:	GREEN	8.6	Heat shields/mountings:	GREEN
8.3	Catalytic converter:	GREEN	8.7	Joints/couplings:	GREEN
8.4	System condition:	GREEN			

**9 Fuel System**

9.1	Tank:	GREEN	9.4	Fuel lines:	GREEN
9.2	Evidence of leaks:	GREEN	9.5	Tank fixings:	GREEN
9.3	Breather pipes:	GREEN			

Inspection Ref: [REDACTED]

03/05/23

**10 Brakes**

10.1	Master cylinder security:	GREEN	10.6	Flexible hoses:	GREEN
10.2	Handbrake op/adjustment:	GREEN	10.7	Fluid leaks:	GREEN
10.3	Pipes/connections:	GREEN	10.8	Handbrake mechanism(s):	GREEN
10.4	Servo/power system:	GREEN	10.9	Discs (if visible):	RED
10.5	Pedal & pad/linkage:	GREEN			

**11 Road Test**

Test Distance: 6 miles  
Speed achieved up to: 50 mph

11.1	Final drive operation (noise):	GREEN	11.11	Instrument/control function:	GREEN
11.2	Road holding/stability:	GREEN	11.12	Gearbox operation/noise:	GREEN
11.3	Clutch operation:	N/A	11.13	General steering/handling:	GREEN
11.4	Engine performance:	GREEN	11.14	Cooling fan operation:	GREEN
11.5	Footbrake operation:	GREEN	11.15	Engine noise:	GREEN
11.6	Steering effort:	GREEN	11.16	Hand/park brake operation:	GREEN
11.7	Excess smoke:	GREEN	11.17	Hot restarting:	GREEN
11.8	Suspension noise:	RED	11.18	Overheating evidence:	GREEN
11.9	Warning lights:	RED	11.19	Auto changes/kick-down:	GREEN
11.10	4WD Operation:	N/A	11.20	Cruise control:	GREEN

**Wheels and Tyres**

Wheel Type: Alloy

Wheel Rims: AM/SH

Wheel Trims: N/A

Tyre position	Make	Size	Type	Min tread depth	
Front RH	Davanti	235 55 17	Radial	8mm	GREEN
Front LH	Davanti	235 55 17	Radial	8mm	GREEN
Rear LH	Nexen	235 55 17	Radial	5mm	GREEN
Rear RH	Nexen	235 55 17	Radial	5mm	GREEN
Spare	Continental	235 55 17	Radial	8mm	GREEN

Note: Due to the complex nature of tyre specification today it is not possible to comment on whether the tyres fitted to this van are the actual tyre specifications as recommended by the manufacturer or have been subject to change in service.

Inspection Ref: [REDACTED]

03/05/23

**Final Check**

Oil leaks: Yes  
Uneven tyre wear: No  
Coolant leaks: No

**Vehicle Documents & Inspection Environment Notes:**Registration document (V5)

We have seen the V5.

Security

The vehicle is fitted with a manufacturer's security device.

MOT

We have seen the MOT.

Servicing

08/12/22 @ 242'492 miles

If the vehicle does not have a recent service history or it was not available to the Inspector at the time of the inspection, then we recommend that a service in accordance with the vehicle manufacturer's specifications be undertaken prior to purchase. This may highlight other defects, giving rise to repairs, which were not apparent from the external visual examination undertaken by the Inspector.

If there is no documentary evidence of a recent engine timing belt (cam belt) replacement, we recommend that the belt of the vehicle is checked or replaced prior to purchase.

**Want to get another vehicle inspected?**

Call us on 0800 056 8040 and Quote V12022 if you would like to get a vehicle inspection on another vehicle that you are looking to buy and we will give you a 10% discount on a comprehensive inspection.

Vehicle inspection report subject to the terms and conditions of AA Vehicle inspections.

<https://www.theaa.com/vehicle-inspections/about.html#tabview=tab7>

Inspection Ref: [REDACTED]

03/05/23

**Advice And Recommendations:**

Please note: No history check has been completed - It is strongly recommended that a vehicle History Check is obtained prior to making a decision to purchase.

This is to check if the van:

- ...Has outstanding finance
- ...Has been recorded as stolen
- ...Previously been written off
- ...A mileage discrepancy
- ...Has had a plate transfer

For the AA Data Check service please [click here](#) or copy the below into your browser:

<https://www.theaa.com/vehicle-check>

It is understood that the prospective purchaser may not have viewed the vehicle. You must satisfy yourself of the van's cosmetic appearance and suitability for your needs and expectations by viewing and driving the vehicle yourself, prior to making your purchasing decision.

Note: To ensure future serviceability, it is important that the engine camshaft belt, also known as the timing belt (if fitted) is replaced at intervals specified by the manufacturer. It is in your best interests to ensure that this is carried out.

**Air Conditioning, Radiators and Coolant:**

Antifreeze only has a 2-3 year life and requires its strength adjusting after this.

Radiator units for both air conditioning and engine cooling cannot be fully seen unless parts are removed. Therefore, any accurate assessment of these parts cannot be carried out. Where any corrosion is evident it has to be considered that life expectancy of the units is limited and could fail within any unknown period.

If this vehicle has an air conditioning system fitted, this must be used frequently throughout the year including winter months in order to help prevent unit failure and gas leakage. A/C systems require annual servicing. Ensure that this has been carried out in the past. You are advised to have the system serviced prior to purchase if no recent servicing has been undertaken.

**Diesel Particulate Filters (DPF):**

If a DPF is fitted to this vehicle, it is important to read the relevant section of the vehicle handbook so that you understand exactly what actions to take if the warning light illuminates and how, if at all, your driving style may need to be adjusted to ensure maximum DPF efficiency and life.

Inspection Ref: [REDACTED]

03/05/23

**Engine Auto Start Stop Function:**

Auto Start Stop functions (if applicable) turn off the engine each time the vehicle comes to a complete halt, such as at traffic lights and restarts it automatically when the clutch pedal is depressed (on release of the foot brake on automatics). If the battery state of charge or climate control parameters are not fully stabilized the system will not function.

**Engine Management Warning Lights (EML):**

Be aware; Defect warning lights may have been cancelled/cleared down, yet may operate indicating a problem, at a later time or in relevant conditions, this is beyond the scope of this inspection and road test.

**Transmission Fluid Check:**

Please note that the automatic transmission fluid (ATF) level on some models can not be checked manually and require dealer facilities.

**Exhausts And Clutches:**

Please note that the life expectancy of an exhaust or clutch system is uncertain and difficult to predict. Without prejudice to clauses 1, 3 and 5 within the Terms and Conditions, the fact that such items have not been identified as faulty on the Report does not and should not be taken to imply that such systems will have a continuing life expectancy from the time of Our check.

**Catalytic Converter:**

Catalytic converter, this relates to confirming its external condition, gas tightness and security. The engineer is unable to confirm its internal condition or effectiveness as this requires exhaust emission testing, which is beyond the scope of this inspection.

**4WD:**

If this vehicle is fitted with 4WD transmission, the systems have been checked for security, leakage and excessive noise. However, within the limitations of the road test the full functionality could not be checked. The vehicle was not taken "off road".

The transmission may come with additional features including differential lock, 4 and 2 wheel drive selections with high and low ratios. Therefore the manual MUST be read and fully understood before attempting to activate or change these settings. Doing so can permanently damage the transmission or engine. Furthermore, given the limitations of the road test meaning the vehicle was not taken "off road", the full functionality of the transmission could not be fully assessed. However, the systems have been checked for security, leakage and excessive noise.

Inspection Ref: [REDACTED]

03/05/23

**Brakes:**

Although the visible brake discs and pads only show some signs of general serviceable wear, it is strongly advised to remove all road wheels and examine the inner brake components, which are obscured on this vehicle prior to purchase, replacing any worn or badly corroded parts.

If this vehicle is fitted with an electronic parking brake. Please ensure that you are conversant with its operation.

**Air Suspension:**

The condition can only be assessed by static testing, as no diagnostic checks or computer interrogation is carried out as part of the inspection. Air suspension systems can leak at any time, suddenly and without warning.

**Wheels and Tyres:**

It is recommended that tyres are replaced when the tread depth reaches 2mm. If uneven tyre wear is noted, this may indicate incorrect geometry, which can result in excessive and rapid tyre wear. A full steering and geometry check is therefore recommended.

If this vehicle is fitted with "Run Flat" tyres and no spare wheel. The tyre's effectiveness in a puncture situation cannot be commented on.

It is advised to have tyres of the correct size and of similar make, tread pattern and tread depth across axles. This will benefit steering and handling, the operation of the transmission, 4 wheel drive, traction control, ABS and puncture detection systems. This can also prevent premature transmission wear or failure.

**Recalls:**

If you would like to check if this vehicle is or has been due a manufacturer's recall you can check at either of the following sites:

<http://www.theaa.com/allaboutvans/recalls/index.jsp>

or

<http://www.dft.gov.uk/vosa/apps/recalls/default.asp>

**Miscellaneous:**

The underside of this vehicle is fitted with protective guards, which has restricted the inspection of the lower parts of the engine, engine bay, transmission and some areas of the underside of the body.

Items listed as "could not be checked" (---) normally indicate items were obscured by covers/shields or other equipment.

Please click the link below to complete our survey.

<http://survey.euro.confirmit.com/wix/p1860138228.aspx>

## REVIVE DETAILING &amp; FABRICATION

## INVOICE

22/05/2023

## Payment information



Customer: Axminster cabs  
vehicle: ford tourneo  
Milage: 249,178  
Registration: WA18TOV  
Invoice Number:-119

Account Name:

Account number:

Sort code:

Follow us on socials @

Revive detailing &amp; fabrication



Description	Quantity	Unit Price	Cost
Carry out work on AA inspection form			£0.00
Nearside rear light cluster had faulty earth causing indicator and brake light to flash together cleaned up terminals and re fitted solving issue 0.5 hours	1		£0.00
Antifreeze level topped up using antifreeze also bringing it back up to desired protection level	1	£2.50	£2.50
Engine and gear box steam cleaned off then ran and test driven to investigate the leak no leak found implying residue was from previous leak so no leaks now	1	£15.00	£15.00
Rear screen was jet was not working this was due to pipe being split pipe repaired and re fitted now working as it should be 0.5 hours	1		£0.00
Off side front had a droning noise over 30 mph this was caused from tyre being misshapen new Tyre fitted warning light re set test driven and noise has gone			£0.00
Brake pad warning light was intermittently coming on due to poor connection on sensor plug connection repaired re fitted and warning light has gone off 0.5 hours			£0.00

# RCM Motors

456

Restorations | Repairs | Camper Conversions | Motorhome Maintenance & Modifications



## Invoice

To: Axminster Cabs.	Date: 25-4-2023.
	Model: Ford.
	Reg: WA18 TOV.
	Miles: 249,163.

Supply + fit 2x Tyres	
Supply + fit 2x Track rod ends.	
Adjust tracking on vehicle	
Clean engine down + assess oil leak.	
2x tyres	180-00.
2x Track rod ends	40-00.
consumables/environmental charge	15-00.

Card/BACS: £	Parts £	235-00
Cash: £	Labour £	100-00
Date:	Sub Total £	335-00
VNI Registration No:	20% VAT £	67-00
	<b>TOTAL £</b>	<b>402-00</b>

Pre-Delivery Inspection and Service Record

**Pre Delivery Inspection**

Date: 22/11/18

Distance: 11

Applicable service actions checked:

Open service actions completed:

Signature: [Redacted]

Dealer stamp:  
 Vosper Marsh Barton  
 9 Marsh Barton Road  
 Exeter, Devon EX2 8YA  
 Tel (01392) 250141  
 Dealer Code B1280AA

Date: 19.2.19

Distance: 25914

Invoice number:

Signature: [Redacted]

Next service due:

Dealer stamp:  
**Midland Garage**  
 4 Midland Road  
 Scunthorpe  
 01724 851009



Date: 05-06-19

Distance: 33502

Invoice number:

Signature: [Redacted]

Next service due: 05-06-2020 (oil) 45,000 miles

Dealer stamp:  
**AMC ELECTRICS LTD**

Pre-Delivery Inspection and Service Record

Date: 03-08-19

Distance: 44961

Invoice number:

Signature: [Redacted]

Next service due: 0-08-20 64,000

Dealer stamp:  
**AMC ELECTRICS LTD**

Date: 10-12-19

Distance: 56,121

Invoice number:

Signature: [Redacted]

Next service due:

Dealer stamp:  
**AMC ELECTRICS LTD**

Date: 03-01-20

Distance: 60,101

Invoice number:

Signature: [Redacted]

Next service due:

Dealer stamp:  
**AMC ELECTRICS LTD**

Scheduled Maintenance Record

Brake fluid *Serve*

Date: *20/02/20*

Distance: *74,226*

Invoice number: \_\_\_\_\_

Signature: \_\_\_\_\_

AMC ELECTRICS LTD

Brake fluid *major service*

Date: *14-10-20*

Distance: *88,432*

Invoice number: \_\_\_\_\_

Signature: \_\_\_\_\_

AMC ELECTRICS LTD

Timing belt *major service*

Date: *5-3-21*

Distance: *109,482*

Invoice number: \_\_\_\_\_

Signature: \_\_\_\_\_

AMC ELECTRICS LTD

Scheduled Maintenance Record

Air conditioning *major service*

Date: *17-10-21*

Distance: *104,785*

Invoice number: \_\_\_\_\_

Signature: \_\_\_\_\_

AMC ELECTRICS LTD

Air conditioning *major service*

Date: *3-4-22*

Distance: *189,587*

Invoice number: \_\_\_\_\_

Signature: \_\_\_\_\_

AMC ELECTRICS LTD

Air conditioning *major service*

Date: *8-12-22*

Distance: *212,492*

Invoice number: \_\_\_\_\_

Signature: \_\_\_\_\_

AMC ELECTRICS LTD

page 97

Report to: Licensing and Enforcement Sub Committee



Date of Meeting 12 July 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

## Application for the grant of a premises licence under the Licensing Act 2003

### Report summary:

The report summarises an application for the grant of a premises licence to be considered by the sub-committee.

### Is the proposed decision in accordance with:

Budget Yes  No

Policy Framework Yes  No

### Recommendation:

That members consider an application for the grant of a premises licence to allow the sale of alcohol to be consumed ON and OFF the premises at Combe Farm Shop, Hayne Farm, Gittisham, Honiton, EX14 3PD.

### Reason for recommendation:

To comply with statutory processes.

Officer: Licensing Officer Phillippa Norsworthy, [P.Norsworthy@eastdevon.gov.uk](mailto:P.Norsworthy@eastdevon.gov.uk)

### Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk;

## Links to background information:

[EDDC Statement of Licensing Policy 2021-2026](#)

[Licensing Act 2003 Guidance issued under Section 182](#)

APPENDIX A – Licensing application

APPENDIX B – Plan of premises

APPENDIX C – Location plan & photo

APPENDIX D – Representations received

APPENDIX E – Responses to Notice of Hearing

APPENDIX F – Operating Schedule

APPENDIX G – Conditions agreed between applicant and Police

## Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
  - A greener East Devon
  - A resilient economy
- 

## 1 Description of Application

1.1 An application has been received from Combe Farm Shop, Hayne Farm, Gittisham, Honiton, EX14 3PD for a grant of a premises licence.

1.2 The application is provided at **APPENDIX A**.

1.3 The proposed timings and licensable activities applied for are as follows:

Sale of alcohol:           Monday to Saturday – 09.00 to 23.00.  
  Sunday – 09.00 to 20.00.

Opening hours:           Monday to Saturday – 09.00 to 23.00.  
  Sunday – 09.00 to 20.00.

1.4 The applicant seeks the grant of a premises licence to incorporate the café, farm shop and outdoor courtyard area, to permit on and off sales within the proposed licensable area. The applicant has indicated on the application form on sales will be restricted to the café and outside courtyard. The farm shop currently holds a premises licence for alcohol off sales only. The permitted times for the sale of alcohol under the existing licence are as follows:

Monday to Saturday, 09.00 to 18.00.  
Sunday, 09.00 to 12.00.

1.5 A plan of the premises to show the layout of the building is provided at **APPENDIX B**

1.6 A plan of the area incorporating the local surroundings is provided at **APPENDIX C**

## **2 Statutory Bodies' Response**

2.1 Devon & Cornwall Police  
Agreed Position.

2.2 Devon & Somerset Fire & Rescue Service  
No representations have been received.

2.3 Area Child Protection Committee and Local Safeguarding Children Board  
No representations have been received.

2.4 Devon Trading Standards  
No representations have been received.

2.5 East Devon District Council, Environmental Health Service  
No representations have been received.

2.6 East Devon District Council, Planning & Countryside Service  
No representations have been received.

2.7 Primary Care Trust  
No representations have been received.

2.8 Home Office  
No representations have been received.

## **3 Representations and Responses to Notices of Hearing**

3.1 A representation has been received from Gittisham Parish Council. The representation relates predominately to the licensing objectives of public nuisance and public safety. Details of their representation are attached at **APPENDIX D**.

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

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

4.1 The conditions offered by the applicant in the operating schedule are attached at **APPENDIX F**.

4.2 At the time of writing this report, the applicant has engaged with Gittisham Parish Council to offer mediation in respect of their application. A meeting with the Parish Council is due to take place on 6 July 2023.

## **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 appropriateness, 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 of 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.

#### **Public Nuisance**

The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the

area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues. Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in antisocial behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

## **Public Safety**

Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

A number of matters should be considered in relation to public safety. These may include:

Fire safety, ensuring appropriate access for emergency services such as ambulances, good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts, ensuring the presence of trained first aiders on the premises and appropriate first aid kits, ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation), ensuring appropriate and frequent waste disposal, particularly of glass bottles, ensuring appropriate limits on the maximum capacity of the premises and considering the use of CCTV in and around the premises.

The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they achieve that.

## Ensuring safe departure of those using the premises

Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include: providing information on the premises of local taxi companies who can provide safe transportation home; and ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

### 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:
- Sale of alcohol for consumption ON and OFF the premises.
- 6.3 The applicant has come to an agreed position with the Devon and Cornwall Police Service and has agreed to the following:
- To reduce the terminal hour for the sale of alcohol to 22.30, Monday to Saturday and to 19.30 on Sunday.
- The addition of conditions to uphold the licensing objectives of the prevention of crime and disorder and the protection of children from harm. Full details of the agreed conditions between the applicant and the police can be found at **APPENDIX G**.
- 6.4 No objections were received from local residents or from the other Responsible Authorities.
- 6.5 Although no response has been received from Gittisham Parish Council their original written representation will have to be considered by the committee (**APPENDIX D**).
- 6.6 The applicant has responded to the notice of hearing indicating that they wish to appoint a representative to attend the hearing to address the committee. Details of the response to their notice of hearing is attached at **APPENDIX E**.
- 6.7 At the time of writing this report no response to the notice of hearing has been received from Gittisham Parish Council.
- 6.8 Ms Karissa Marker is nominated as the Designated Premises Supervisor. Ms Marker holds a Personal Licence, issued by East Devon District Council in July 2020.
- 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.

## 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.

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

## 6. Human Rights Act 1998

6.1 The sub-committee must also have regard to the provisions of the Human Rights Act 1998 when determining this application. The 1998 Act made the European Convention of Human Rights directly enforceable in British courts. The relevant provisions are Article 6 (right to a fair trial), Article 8 (right to respect for private and family life), Article 11 (freedom of association) and Article 1 of the First Protocol (right to peaceful enjoyment of one's possessions). These provisions are explained below. Essentially, they require the sub-committee to identify correctly the competing interests, give each appropriate weight in the circumstances of the case, and balance them against each other in order to arrive at a fair and reasonable decision.

6.2 Under Article 6, "everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law". The procedures established by this Council for hearings under the Licensing Act 2003 are compliant with Article 6.

6.3 Under Article 8, "everyone has the right to respect for his private and family life, his home and his correspondence". This right may not be interfered with except in accordance with the law and as may be "necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others". In Licensing Act cases this means that the sub-committee must have regard to the effect of its decisions on local residents, and balance their interests against those of the public at large (e.g. the customers of the premises under consideration) and the people operating the business from the premises.

6.4 Under Article 11, "everyone has the right to freedom of peaceful assembly and to freedom of association with others" except where it is lawful to restrict that freedom in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others". In Licensing Act cases this means, for example, that the sub-committee is entitled to impose conditions to ensure that patrons of licensed premises do not unreasonably disturb others living or working nearby. Again, the sub-committee should balance the competing interests.

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

## 7. Appeals

If the sub-committee imposes conditions on the licence with which the applicant disagrees, or modifies the licensable activities permitted or refuses to specify a person a designated

premises supervisor, he or she may appeal within 21 days of notification of the decision to the Magistrates' Court. The applicant may also appeal if an application for a premises licence is rejected. Those making relevant representations may appeal if they believe that the licence should not have been granted, or that, when granting the licence, the licensing authority ought to have imposed different or additional conditions or excluded a licensable activity or refused to specify a persona as designated premises supervisor. The magistrates' court may dismiss the appeal, or substitute its own decision, or send back the case to the licensing authority with directions as to how the case is to be dealt with. The magistrates' court may make any costs order it thinks fit.

## **8. Review Provisions**

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

## **9. Police Closure**

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

## **10. Surveillance Camera Code of Guidance-June 2013**

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

Guiding principle one states:

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

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

---

## **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.



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

Yes  No

**Applicant Details**

\* First name

\* Family name

\* E-mail

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

Is your business registered outside the UK?  Yes  No

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

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

Legal status

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

**Continued from previous page...**Your position in the business Home country 

The country where the headquarters of your business is located.

**Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

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, OS map reference or description of the premises?

 Address     OS map reference     Description
**Postal Address Of Premises**Building number or name Street District City or town County or administrative area Postcode Country **Further Details**Telephone number Non-domestic rateable value of premises (£)

**Section 3 of 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

**Confirm The Following**

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

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

KARISSA

Family name

MARKER

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

**Current Residential Address**

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Applicant Contact Details**

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /

\* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK  
 Right to work share code if not submitting scanned documents

Add another applicant

**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

*Continued from previous page...*

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.

FARM SHOP THAT CURRENTLY SELLS ALCOHOL FOR OFF SITE CONSUMPTION, WE NOW WANT TO APPLY TO BE ABLE TO SELL ALCOHOL IN THE CAFE FOR ON SITE CONSUMPTION. OFF SITE CONSUMPTION IS TO BE CONSUMED OFF SITE OF THE WHOLE PROPERTY, ONSITE CONSUMPTION IS LIMITED TO THE CAFE AND OUTSIDE COURTYARD.

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

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will you be providing recorded music?

- Yes  No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**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

**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

Continued from previous page...

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises     
  Off the premises     
  Both

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

State any seasonal variations

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

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

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

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

*Continued from previous page...*

**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

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

*Continued from previous page...*

TUESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="20:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

**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) page 119

**Continued from previous page...**

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

Regular training of staff.  
Regular fire training/ First aid training/  
Visual checks of cctv / fire exits /

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

Suitable amount of staff on a shift, cctv in place, external lights, cameras and lights in carpark.

**c) Public safety**

safety checks, up to date fire checks, emergency procedures in place, designated smoking areas, employers & public liability insurance in place, adequate lighting inside and out.

**d) The prevention of public nuisance**

Keep doors & windows closed,  
restrict the hours of outside entertainment,  
have signage in place asking people to leave quietly, make regular sound checks inside & outside of the premises.

**e) The protection of children from harm**

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

- A photo driving license
- A passport

Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**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 birth or adoption certificate issued 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 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.

*Continued from previous page...*

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

**Continued from previous page...**

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.

**Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21****NOTES ON REGULATED ENTERTAINMENT**

*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.

**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

**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.

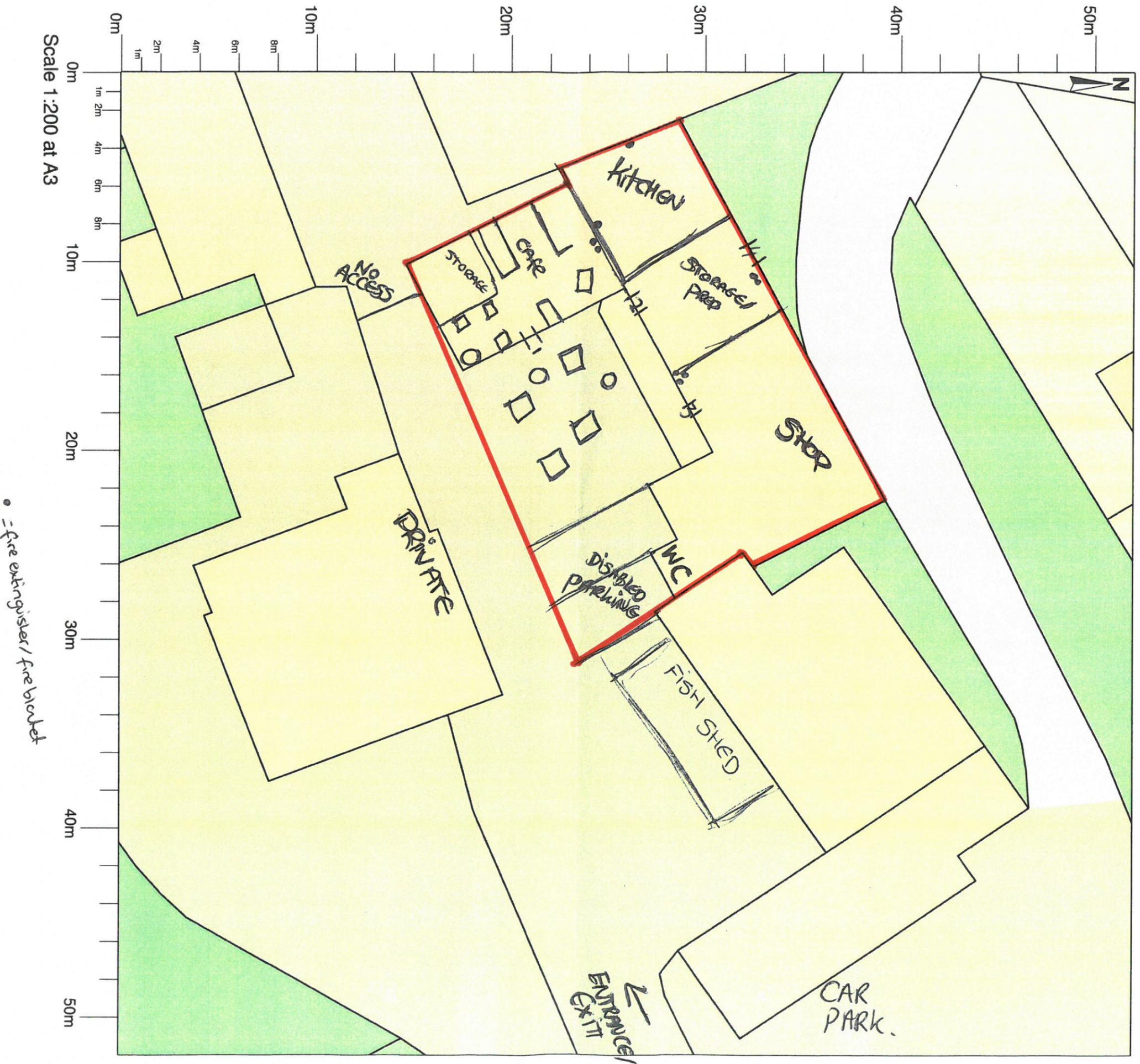
**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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"/>

Hayne Farm, Hayne Lane, Gittisham, Honiton, EX14 3PD



Scale 1:200 at A3



Imagery ©2023 CNES / Airbus, Getmapping plc, Infoterra Ltd & Bluesky, Maxar Technologies, Map data ©2023 20 m

# REPRESENTATIONS LIST

APPENDIX D

**Application No:** 055816 **Application Date:** 17 May 2023  
**Licence Type:** Premises Licence WITH Alcohol **Licence No:** N/A  
**Application Type:** New Application

**Premises:** Combe Farm Shop  
Hayne Farm, Gittisham, HONITON, Devon, EX14 3PD.

**Applicant:** Karissa Ann Trelawny Marker

**Person making Representation:** Devon & Cornwall Police

**Representation Accepted:** Representation has been accepted

**Reason:** Agreed Position

**Details:**

Team,

Please see the below email trail detailing an agreed position I have come to with the applicants for the above New Premises Licence, in light of this I would like to make a representation under the Prevention of Crime and Disorder and the Protection of Children from Harm licensing objectives to have the amendments/additions made to the licence should it be granted.

Please also note the change to the hours applied for have been agreed.

Cheers

Mike  
Mike NORSWORTHY  
Alcohol Licensing Officer (Teignbridge and East Devon)

From: Combe Farm Shop  
Sent: 25 May 2023 11:36  
To: NORSWORTHY Mike 57895  
Subject: Re: Combe Farm Shop Application for a New Premises Licence

Good morning Mike.

Thank you for your email. All those changes are fine.

Please let me know if you need anything else from us

Thank you  
Joanna

Sent from my iPhone

On 25 May 2023, at 11:00 am, NORSWORTHY Mike 57895 wrote:

Good morning Joanna,

I am in receipt of your application for a New Premises licence at the above business. Having assessed the application, in order to further promote the Licensing Objectives, I would like to have the following amendments/additions made to the licence should it be granted. If you agree with the amendments/additions please reply to me as such, there is no requirement to contact the Local Authority to make any amendments to the application, when we have come to an agreed position, I will forward the agreement to the Local Authority who will make the necessary changes should the licence be granted.

Firstly I note that you have applied to sell alcohol until 2300hrs Mon to Sat and 2000hrs on a Sunday and also your opening hours cease at 2300hrs Monday to Sat and 2000hrs on a Sunday. I would expect to see a 30 minute drinking up time after the terminal hour of your alcohol sales so I would like your alcohol sales to cease at 2230hrs Mon to Sat and 1930hrs on a Sunday.

UNDER THE PREVENTION OF CRIME AND DISORDER LICENSING OBJECTIVE

Delete the following sentences:-

Suitable amount of staff on a shift, CCTV in place, external lights, cameras and lights in carpark.

Replace with the following conditions:-

STAFF TRAINING

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

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

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

Training records will be retained for at least 12 months.

#### CCTV

The premises shall install operate and maintain a comprehensive digital colour CCTV system.

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.  
All recordings will be stored for a minimum period of 14 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

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

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

#### INCIDENT LOG

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

1. Any incidents of disorder or of a violent or anti-social nature
2. All crimes reported to the venue, or by the venue to the police
3. All ejections of patrons
4. Any complaints received
5. Any faults in the CCTV system
6. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

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

#### UNDER THE PROTECTION OF CHILDREN FROM HARM LICENSING OBJECTIVE

Add the following condition:-

#### REFUSALS REGISTER

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

1. the date and time of refusal
2. the reason for refusal

**Application No:** 055816

**APPENDIX D**

**Premises:** Combe Farm Shop  
Hayne Farm, Gittisham, HONITON, Devon, EX14 3PD.

3. details of the person refusing the sale
4. description of the customer
5. any other relevant observations.

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

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

Kind regards

Mike  
Mike NORSWORTHY  
Alcohol Licensing Officer (Teignbridge and East Devon)

**Evidence:**

**Suggestion:**

---

**Person making Representation:** Gittisham Parish Council

Parish Clerk, [REDACTED]

**Representation Accepted:** Representation has been accepted

**Reason:** Public Nuisance

**Details:**

Hello and thank you for your email.

I hope that you will be able to take the following into consideration:

Due to the location of the farm shop, there is a huge difference between being able to purchase alcohol and drink on the premises Vs buying and taking away. This is especially as there is a large change in the opening hours, which may lead to crimes or injury around the farm area which isn't currently in use. It may also lead to increased noise in and around the farm shop which is close to residential properties.

Your message said that highways could not be considered under the act. There is no public easement in this area, which would put people in danger. They would not be able to drive after drinking alcohol, and as Hayne Lane is not fully lit for its length, it may lead to people falling into potholes or the gully that follows the lane.

**Evidence:**

**Suggestion:**

---

Combe Farm – Responses to Notice of Hearing

**Applicant**

<b>Miss K MARKER</b>	
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No, Justin Lascelles – Estate Manager, Combe Estate
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<p>Prevention of Public Nuisance.</p> <ul style="list-style-type: none"> <li>• The premises has a history of out of hours events with no complaints or problems.</li> <li>• Events are primarily food based and not drink based. The premises is not a pub or a bar enterprise.</li> <li>• Events to be held periodically and not an open late every night establishment.</li> <li>• Lighting.</li> </ul>

## OPERATING SCHEDULE

Regular training of staff. Regular fire training/ First aid training.

Visual checks of cctv / fire exits.

Suitable amount of staff on a shift, cctv in place, external lights, cameras and lights in carpark.

Safety checks, up to date fire checks, emergency procedures in place, designated smoking areas, employers & public liability insurance in place, adequate lighting inside and out.

Keep doors & windows closed.

Restrict the hours of outside entertainment, have signage in place asking people to leave quietly, make regular sound checks inside & outside of the premises.

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

- A photo driving licence
- A passport

Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

Devon & Cornwall Police – Agreed Position.

Please see the below email trail detailing an agreed position I have come to with the applicants for the above New Premises Licence, in light of this I would like to make a representation under the Prevention of Crime and Disorder and the Protection of Children from Harm licensing objectives to have the amendments/additions made to the licence should it be granted.

Please also note the change to the hours applied for have been agreed.

I am in receipt of your application for a New Premises licence at the above business. Having assessed the application, in order to further promote the Licensing Objectives, I would like to have the following amendments/additions made to the licence should it be granted. If you agree with the amendments/additions please reply to me as such, **there is no requirement to contact the Local Authority to make any amendments to the application**, when we have come to an agreed position, I will forward the agreement to the Local Authority who will make the necessary changes should the licence be granted.

**Firstly I note that you have applied to sell alcohol until 2300hrs Mon to Sat and 2000hrs on a Sunday and also your opening hours cease at 2300hrs Monday to Sat and 2000hrs on a Sunday. I would expect to see a 30 minute drinking up time after the terminal hour of your alcohol sales so I would like your alcohol sales to cease at 2230hrs Mon to Sat and 1930hrs on a Sunday.**

#### **UNDER THE PREVENTION OF CRIME AND DISORDER LICENSING OBJECTIVE**

**Delete the following sentences:-**

Suitable amount of staff on a shift, CCTV in place, external lights, cameras and lights in carpark.

Replace with the following conditions:-

#### **STAFF TRAINING**

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

1. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
2. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
3. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
4. Recognising the signs of drunkenness.
5. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.

6. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

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

Training records will be retained for at least 12 months.

## **CCTV**

The premises shall install operate and maintain a comprehensive digital colour CCTV system.

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.

The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises.

All equipment must have a constant and accurate time and date generation.

All recordings will be stored for a minimum period of 14 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

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

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

## **INCIDENT LOG**

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

1. Any incidents of disorder or of a violent or anti-social nature
2. All crimes reported to the venue, or by the venue to the police
3. All ejections of patrons
4. Any complaints received
5. Any faults in the CCTV system
6. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.

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

### **UNDER THE PROTECTION OF CHILDREN FROM HARM LICENSING OBJECTIVE**

**Add the following condition:-**

#### **REFUSALS REGISTER**

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

1. the date and time of refusal
2. the reason for refusal
3. details of the person refusing the sale
4. description of the customer
5. any other relevant observations.

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

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