

REPRESENTATIONS LIST

Application No: 051731

Application Date: 22 February 2021

Licence Type: Premises Licence WITH Alcohol

Licence No: N/A

Application Type: New Application

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Applicant: Maer Beach Limited
5 Barnfield Crescent, EXETER, Devon, EX1 1QT.

Person making Representation: Mary Nash

Representation Accepted: Representation has been accepted

Reason:

Details:

This application for for sales of alcohol and food from the premises now named as Mike's Beach Bar and Restaurant is a cause for grave concern. I wish to object to lateness of the opening hours as stated in their application both on the grounds of public safety and public nuisance.

Public Safety: Late night drinking in such close proximity to a non-life guarded dangerous area of the beach would be an accident waiting to happen.

Public Nuisance: This is a quiet residential area. At night we can clearly hear the familiar sounds of the sea. The sound of being woken by late night drinkers being turned out at 2.30 am is not acceptable. Any loud party type noises after 11.30pm would prevent me from sleeping peacefully in Trefusis Terrace. Last orders for food at 10.30pm and alcohol at 11.00pm would prevent any late night issues. Those hours would be more in keeping with the licence which is operated at the neighbouring Ocean premises. The terms of the Ocean licence are acceptable and have not caused local residents a problem.

The police are already aware of problems with antisocial behaviour in this area. I refer you to the latest reported incident ref 20402032021 dated March 1st 2021. Invariably, the most serious problems occur in the early hours of the morning.

Personally, I am very much in favour of this new business and feel it can be a great asset to Exmouth; provided they trade responsibly and do not disturb the night time peace of the surrounding area.

Yours sincerely

Mary Nash (Mrs)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Cecilia Jenkins

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir

LICENSE APPLICATION
MICKIE'S BAR, EXMOUTH SEA FRONT

We write regarding the above application with our objections to their proposed licensing hours.

We suggest that if this new premises keeps to the licensing hours at present in place at the existing Ocean complex this could be tolerated.

However, the noise from Ocean during occasional late night licensing hours can be very intrusive. Double that amount of noise would be unacceptable.

As an example of how noise is carried, the sound from the construction site was quite intrusive on occasions but obviously this was only during the day and we knew it was finite.

We appreciate that a seaside town has certain responsibilities towards its businesses but its residents are the backbone of the community.

We are registering our objection to extended licensing hours at the new complex: Mickie's Bar.

Yours faithfully

Rees and Cecilia Jenkins

Evidence:

Suggestion:

Person making Representation: Rees Jenkins

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir

LICENSE APPLICATION
MICKIE'S BAR, EXMOUTH SEA FRONT

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We suggest that if this new premises keeps to the licensing hours at present in place at the existing Ocean complex this could be tolerated.

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We are registering our objection to extended licensing hours at the new complex: Mickie's Bar.

Yours faithfully

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Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Pat Packe

Representation Accepted: Representation has been accepted

Reason:

Details:

I wish to raise objections to the application, submitted by Maer Beach Ltd, relating to the alcohol licence and licence for live and recorded music at the new premises of Mickey's Beach Bar and Restaurant and adjacent Cafe Patisserie Glacerie on Exmouth Seafront.

Whilst I appreciate that the new development has the potential to be a welcome asset to Exmouth, attracting visitors to the town and boosting its economy, I am mindful that there may be an undesirable impact on nearby residents. As a local resident, whose house faces Trefusis Terrace, only about 150 metres away from this new development, I am concerned about :

(a) the application for an alcohol licence for EVERY day 11.00 - 02.00 These hours are excessive, especially as they relate to EVERY day of the week. - most licensed premises only serve alcohol until, at the latest, 23.00. Why is it considered necessary to stay open so late into the night and to serve alcohol until 2am? There is a danger that the place will attract undesirable customers from the wider area of Exeter and East Devon, after normal closing hours, who may behave in a disorderly manner and disturb local residents as they arrive late at night and depart well into the early hours of the morning. The adjacent car park is even closer than the cafe to the many residences along Trefusis Place and the starting up and driving of several cars in the early hours will undoubtedly create a disturbance to local residents. The area is already notorious for young car and motorbike drivers roaring along the seafront late at night, and a late night licence for Mickey's etc. provides a perfect excuse for further anti social behaviour.

(b) live music EVERY day 11.00 - 23.00
and

(c) recorded music EVERY day 07.00 - 02.00 There is a significant number of residences along Trefusis Terrace, Louisa Terrace and Douglas Avenue (including two large blocks of sheltered flats for the elderly) that are in close proximity to the new cafe/restaurant. Any music late into the night and early hours is going to create a disturbance and is therefore unacceptable, especially as noise carries more at night. A 'reasonable' cut off time of around 22.00 should be enforced on weekdays and maybe 23.00 at weekends. One or two evenings a week, without any music disturbance, could also provide some welcome respite for residents.

I hope that as the relevant Licensing Authority, you will recognise that these applications are unreasonable for the many local residents living close to this new seafront development and will bear in mind the likely undesirable 'knock on' effects that may result. When granting a licence, I urge you to consider local residents and act responsibly by limiting the hours of alcohol sales and music to an acceptable level.

Regards,
Pat Packe

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Roger Packe

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sirs

I wish to make an objection to the terms and conditions for this Application No 051731

1. Opening Hours.

The above property is very close to residential properties and not in a rural environment and as such, there is no justification for extending the standard closing time of 11pm and it should be reduced to 10pm on Sundays.

2. Safety

The parking for customers is across the diverted Queens Drive. This is a favourite race track for boy racers travelling at speeds up to 60mph as there are few obstacles to slow them down. The nearest official crossing is 200metres away and is unlikely to be used.

3. Noise

This would be unacceptable at such a late hour for local residents living on Trefusis Terrace, Douglas Avenue and surrounding areas and would affect the health and well being of a large number of people. Many of the older buildings having single glazed windows.

4. Car parking

The only car park to serve this venue is across the Queens Drive and only 100metres from those mentioned in 3. One can only imagine the banter coming from there at 2am and later.

5. The very small and insignificant notices have been attached to temporary safety fencing. They do not have an application number or email address and the blue colour does not look official.

I trust that this present application will not be accepted in its present form and that the opening hours on any further application will be significantly reduced.

Roger Packe

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Martin Warren

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sirs.

I am writing re the above application which seeks permission to operate Mickeys's restaurant with alcohol being served outside until 11pm and inside until 2am with live music until 11pm and recorded music until 2am (all music being played inside). The premises will not close until 230 am as envisaged.

I would make the following observations.

1. I am supportive of the Sideshore development generally as good for Exmouth and in particular promoting water sports in particular kite surfing given the unique water environment we enjoy here (estuary , sandbanks and open sea) but there has been " mission creep " re this development already - eg further planning permission to erect the folding roof which was not part of the original design. This application feels like further significant mission creep and I would question whether it is necessary given the restaurant could operate quite satisfactorily within "normal hours "- closing say 11pm on weekdays and midnight on a Saturday.

2. If this application is granted there is the real risk of the premises becoming a public nuisance given the inevitable noise that would be generated while it operated and the increase in motor and voice noise and following it closing. The reality is a lot of this noise will impact local residents at 2-3 am - which is unreasonable .

3. Exmouth is primarily a " family " resort , we do not have lots of late night venues along the seafront in particular- if this application is allowed this venue given the hours of its operation is likely to become a magnet for antisocial behaviour. We already have a problem with " boy racers " using the seafront as a race track and these hours of operation will exacerbate the issue. I would point out the police had to target speeding on the seafront recently and from media reports they gave out over 30 tickets on one evening.

I would also remind the committee considering this matter of the fighting which took place on Exmouth beach last summer on several occasions when a mix of hot weather and excess alcohol consumption sparked violence. This application should be materially reduced (ie the operating times reduced) in order to prevent crime and disorder - and a qualification should also be added that alcohol can only be served with food - to reduce the risk of late night drinking leading to crime and disorder .

Yours

Martin Warren.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: David Whiter

Representation Accepted: Representation has been accepted

Reason:

Details:

Many thanks for your prompt response. I hope I am correct in assuming that my original email can serve as a formal representation on the basis that the late licencing hours applied for are likely to cause a public nuisance (noise) to residents of the proximity.

Regards
David Whiter

From: Licensing EDDC <licensing@eastdevon.gov.uk>
Sent: 10 March 2021 16:51
Subject: RE: Licensing application ref 051731

Dear Mr Whiter

Thank you for your email. If you wish to submit a formal representation then you can do so by return of email. I have attached a link to our website guidance in relation to making a representation:
<https://eastdevon.gov.uk/licensing/alcohol-and-entertainment/premises-licences-and-club-premises-certificates/current-applications-for-premises-licences-and-club-premises-certificates/guidance-on-representations/>

For a representation to be relevant it must relate to the likely effect of the application on the promotion of the four licensing objectives, which are:

- " Prevention of crime & disorder
- " Public safety
- " Prevention of public nuisance
- " Protection of children from harm

Ideally your representation will state specifically which of the licensing objectives it relates to and it will assist if you give as much detail as possible.

At the present time, based on the final line of your email, I have not accepted your email as a formal representation but will await further contact from you should you decide to submit one. Please be aware that any representations must be received no later than 22 March.

If you have any questions please do not hesitate to contact me.

Regards
Lesley Barber
Licensing Officer

Sent: 10 March 2021 10:19
To: Licensing EDDC <licensing@eastdevon.gov.uk>
Subject: Licensing application ref 051731

Dear Sirs,

I write with reference to the above mentioned licensing application made by Maer Beach Limited in respect of Mickey's Bar and Restaurant. As a local resident I am concerned that such a liberal grant of use, particularly music until 2pm in the morning, will cause nuisance as noise will be blown on the prevailing wind towards residential areas. There is also the issue of parking in local streets as revellers seek to avoid charges. Until now the only commercial activity at the Eastern end of the beach has come from light refreshment establishments and usually limited to daytime operation with early evening at the latest in the summer months. Therefore, this application does potentially represent a significant change in the night time environment for this part of Exmouth. However, I accept that I live in a resort and that forms of entertainment are to be expected so could I suggest that the license granted for the new premises mirrors that of the "Ocean" being the only other enterprise operating late in the area at present. Then, if their noise and crowd control measures prove as effective as they claim, they can always apply for an extension at a later date.

Your advice as to how I go about registering this objection would be greatly appreciated

Regards
David Whiter

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Michael Fardon

Representation Accepted: Representation has been accepted

Reason:

Details:

Summary

The representation we are making concerns the level of noise that this proposed development will generate during the proposed lengthy opening hours and which will become a major nuisance for residents along Trefusis Terrace and other properties which overlook the development.

Conditions offered by the applicant - extract (updated 5 March 2021) state: "Noise or vibration from the premises will be maintained at a level that will not be audible at the façade of any noise neighbouring noise sensitive premises." (sic)

Representation - late night noise (disturbance to nearby dwellings)

We believe that the noise/music which will be generated by Mickey's Beach Bar & Restaurant will not be tolerable for the residents of sea-facing houses in Trefusis Terrace, including the block of five dwellings in Rocklands (see photograph) the 'façades' of which directly overlook Mickey's Beach Bar & Restaurant.

These five houses (see photo on next page) are four storey, all with balconies on their 'façade' side, overlooking the proposed Mickey's Beach Bar, Restaurant and car park. Many of our residents spend significant time on these balconies on which there are often seats and tables. Noise from music at Mickey's, particularly if it is being generated as late in the night as 2.00 a.m. will constitute a major disturbance.

The noise from music created at the hours suggested (up to 2.00 a.m.) would also penetrate the main rooms, including bedrooms on the facing façade of the house. Sleep would be seriously affected, particularly in summer months when the day's heat necessitates residents opening windows during the night.

Another source of noise is the car park behind Mickey's. If a 2.00 a.m closing time is chosen it will mean that up to and including that time visitors, quite possibly inebriated, will be returning to their cars making a lot of noise calling out, shouting, slamming car doors, revving engines, and so on, all of which will wake up the local householders.

Other matters - opening hours

It is our view therefore that the requested opening times (and continuous music) is excessive. 2 o'clock in the morning is an unsociable time of day for the adjacent housing. We suggest that the closure timing should be brought back to the normally accepted 11.00 p.m. and the beginning of the day started no earlier than 9.00 in the morning. Starting at 7 a.m., for example, is anti-social and unacceptable, particularly when elderly people who are living in the housing are involved.

Evidence:

Suggestion:

Recommendation

We therefore suggest that:

(a) Sound tests involving the nearby housing are carried out and the sound output reduced accordingly to a level that will not cause a public nuisance.

(b) The opening times are amended to a reasonable schedule, ie 9.00 in the morning until 11.00 at night.

Supporting Pictures with representation from Mr and Mrs Fardon

Representation dated 12 March 2021 from Michael and Anne Fardon, 4 [REDACTED]

Photographs attached:



View of Micky's from inside Rocklands



Rocklands – windows and balconies

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Anne Fardon

Representation Accepted: Representation has been accepted

Reason:

Details:

Summary

The representation we are making concerns the level of noise that this proposed development will generate during the proposed lengthy opening hours and which will become a major nuisance for residents along Trefusis Terrace and other properties which overlook the development.

Conditions offered by the applicant - extract (updated 5 March 2021) state: "Noise or vibration from the premises will be maintained at a level that will not be audible at the façade of any noise neighbouring noise sensitive premises." (sic)

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Evidence:

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Supporting Pictures with representation from Mr and Mrs Fardon

Representation dated 12 March 2021 from Michael and Anne Fardon, [REDACTED]

Photographs attached:



View of Micky's from inside Rocklands



Rocklands – windows and balconies

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Gina Hanson

Representation Accepted: Representation has been accepted

Reason:

Details:

We live at 'Execliff', a converted property of flats in Trefusis Terrace which is a road of residential properties situated above the Ocean Bowling Alley and Leisure Centre and Gunfield Gardens, very close to the premises seeking a licensing application on Queens Drive. We write to object to the application on the following grounds:

Maer Beach Ltd has applied for a licence for the consumption of alcohol for hours that are in excess of similar nearby premises, for example the Ocean Leisure Centre (Harlequins Leisure), which will set a precedent, if agreed, that will allow other businesses, including future ventures, to extend their own licensing hours beyond mid-night. For this reason we object in the strongest of terms. The Applicant is requesting to supply alcohol from 11.00-02.00 Monday -Sunday and 11.30-23.00 for the outside event space in comparison to the Ocean which serves alcohol on the premises only from 09.00-22.30 Mon, Tues, Wed & Sunday and 09.00-23.30 Thurs-Sat.

We believe allowing the consumption of alcohol on the premises till 02.00 in the morning throughout the week will create a public nuisance with the potential for increased crime and disorder. We already experience anti-social behaviour including drug taking and the illegal consumption of alcohol in the Gunfield Gardens on a regular basis throughout the year which is known to the police. We feel this will be exacerbated by allowing drinking into the early hours of the morning on this premises with all the associated behaviours and rubbish after closing time that extends into the environment beyond the premises. There is a real concern that Mickey's Beach Bar will become a magnet for vulnerable young people to congregate around in the early hours with all the inherent dangers this may entail.

We are also unclear what is meant by an 'outdoor event space'. The Licensing Application does not define how it will be used other than in terms of an application for the consumption of alcohol until 23.00 throughout the whole week. If live or recorded music is permitted, this will add to the cacophony of sound from other events in the immediate vicinity particularly in the summer months. Whilst we understand that measures are being put in place to manage the indoor noise/music levels, we are concerned about the noise nuisance to local residents. Sound travels more at night and especially in the summer months, with the wind in certain directions we can clearly hear events as far away as Manor Gardens near the town centre, and this site will be much closer.

We are already experiencing considerable problems of sound at night from outside events from other premises that have emerged as part of the Exmouth seafront development which is being monitored by the Council in liaison with local residents.

We recognise that this is a seaside resort and most income is generated in the summer months but it is also residential in an area of outstanding natural beauty and we have a right to privacy and family life which is not disrupted after midnight. Given the lack of visible Police presence in Exmouth, who will manage the potential increase in issues of public safety and nuisance arising from this application if these hours are accepted?

Presumably all these matters were taken into consideration with regard to the licensing application for the Ocean Leisure Centre which resulted in the maximum licensing time not going beyond 23.30 on certain days of the week; the same should surely be the case for this application. We therefore strongly urge you to take our concerns into account when making a decision about this application.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Charlie Salter

Representation Accepted: Representation has been accepted

Reason:

Details:

We live at 'Execliff', a converted property of flats in Trefusis Terrace which is a road of residential properties situated above the Ocean Bowling Alley and Leisure Centre and Gunfield Gardens, very close to the premises seeking a licensing application on Queens Drive. We write to object to the application on the following grounds:

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Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: William Treloar
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

As someone who lives in Douglas Avenue, very close to where Mickey's Beach Bar is situated, I've just been made aware that Maer Beach Limited has applied for a licence to play live and recorded music plus sell alcohol and food into the early hours, 365 days a year!

My view is that if this was granted, this would have a hugely detrimental affect on the immediate and surrounding areas. When other pubs are shutting at 11pm, the heavy drinkers would then move onto Mickey's Beach Bar until the early hours and many of them, upon leaving, would cause considerable noise and mayhem.

It would undoubtedly lead to increased crime and disorder in the area, adding to the already overstretched Police burden.

It would also place a huge question mark over public safety. Many residents walk their dogs in this area, others jog, and these people would avoid an area they've been using for years, fearful that they might be attacked or accosted by drunken people leaving Mickey's. Young women planning to walk home after leaving Mickey's would, with some justification, feel anxious at the very least at the prospect of being assaulted, especially in light of the tragic Sarah Everard case.

I have no objection to Mickey's being operated along the same lines as other pubs in the area, but into the early hours every day of the week is a very bad idea. I really hope that the council rejects this application in its present form.

Evidence:

Suggestion:

Person making Representation: Anne Bowser-Haigh
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

I would like to raise an objection to the licensing application for Mickey's Beach Bar & Restaurant in regards to this becoming a 'late night venue'. I have searched through the original planning application and cannot find any mention of this development becoming anything other than a water sports centre, cafe, restaurant and retail units, and I doubt that anyone expected this to be open beyond normal pub licensing hours.

The selling of alcohol and the playing of music up to 2am every day of the year, is neither reasonable or acceptable in such an area, where the patrons are likely to spill out onto the beachfront, the beach, and The Maer Nature Reserve, causing a public nuisance to neighbouring properties, and creating an area where disorder is much more likely to occur and where the resulting noise is amplified and will carry across the adjacent open areas.

We already have to deal with a great deal of late night public disorder across The Maer due to the over indulgence of both alcohol and drugs, and as this takes place away from the roadside, the police appear to take little or no any action against this nuisance or its perpetrators, so the additional threat of alcohol infused crowds in the early hours of the morning is certainly not a welcome addition to what is supposed to be a tourist friendly, safe resort.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Avril Summers

Representation Accepted: Representation has been accepted

Reason:

Details:

We own a home in Douglas Avenue which we purchased as in a quiet peaceful and safe locale and wish to raise concerns in regard to the Licensing Application Ref No 051731. Name of Applicant Maer Beach Ltd , Premises Mickeys Beach Bar and Restaurant and Cafe Patisserie, Queens Drive, Exmouth

When the original planning applications were submitted for the water sports centre residents were not advised of a Bar serving alcohol and playing live and recorded music being part of the complex. Thus Exmouth as a whole had no opportunity to raise concerns before this licence application was submitted, it was sold to us as a facility which would enhance Exmouth seafront and be a family friendly place.

We raise concern that should a Licence for a bar with the hours in this application and music be granted the problems related to crime and disorder that have been present in Exmouth town centre itself over the last few years such as drunken fights, damage to infrastructure and loutish behaviour will be transferred to Exmouth Seafront. Also noise from the said live and recorded music every day and night will have not only a negative impact on the peace for people using the seafront but also those residents living in homes in the surrounding area

To approve a Licence with such excessive opening hours 0700 to 0230 (19.5 hours) 365 days a year is in our view a disaster waiting to happen. Police will have a difficult job controlling inebriated people, the risk to the surrounding neighbourhood including The Deaf Academy will be high risk. The location currently is generally peaceful one not only during the daytime but also during the evening and nighttime, abeit there are occasional rowdy residents wa king home after a night out toward Littleham via Douglas Avenue and The Maer. The area is surrounded by nearby apartments and homes, many purpose built for older residents whose health and safety including ours is of utmost concern.

We therefore strongly OBJECT to this License No 051731 being approved

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Jeffery Summers

Representation Accepted: Representation has been accepted

Reason:

Details:

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When the original planning applications were submitted for the water sports centre residents were not advised of a Bar serving alcohol and playing live and recorded music being part of the complex. Thus Exmouth as a whole had no opportunity to raise concerns before this licence application was submitted, it was sold to us as a facility which would enhance Exmouth seafront and be a family friendly place.

We raise concern that should a Licence for a bar with the hours in this application and music be granted the problems related to crime and disorder that have been present in Exmouth town centre itself over the last few years such as drunken fights, damage to infrastructure and loutish behaviour will be transferred to Exmouth Seafront. Also noise from the said live and recorded music every day and night will have not only a negative impact on the peace for people using the seafront but also those residents living in homes in the surrounding area

To approve a Licence with such excessive opening hours 0700 to 0230 (19.5 hours) 365 days a year is in our view a disaster waiting to happen. Police will have a difficult job controlling inebriated people, the risk to the surrounding neighbourhood including The Deaf Academy will be high risk. The location currently is generally peaceful one not only during the daytime but also during the evening and nighttime, abeit there are occasional rowdy residents wa king home after a night out toward Littleham via Douglas Avenue and The Maer. The area is surrounded by nearby apartments and homes, many purpose built for older residents whose health and safety including ours is of utmost concern.

We therefore strongly OBJECT to this License No 051731 being approved

Evidence:

Suggestion:

Person making Representation: Trevor Broomhall

Representation Accepted: Representation has been accepted

Reason:

Details:

Ref No 051731 'Mickey's Beach Bar'

We wish to make strong representations against the above application, our reasons being the following:-

- 1) Noise pollution, because many people like us have properties along the beautiful seafront of Exmouth and our daytime and nighttime rooms face South from an elevated position. Sound travels. The amphitheatre effect.
- 2) Will the bar have doors and windows open? Then all those local residents who presently enjoy fresh sea air, will have to have their doors and windows firmly closed, against the noise, until the early hours of the morning. Even on Christmas Day and Easter Day and all through the summer. We consider this to be unreasonable. Live bands and amplification are so often a problem. Residents could soon be suffering from serious sleep deprivation.
- 3) SEA and ALCOHOL do not mix. Everyone knows that. This bar and restaurant is right at the edge of the sea and needs to be particularly aware of this.
- 4) Closing time should take into account the noise created by many who could be lacking in inhibition and respect the local residents.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Janet Broomhall

Representation Accepted: Representation has been accepted

Reason:

Details:

Ref No 051731 'Mickey's Beach Bar'

We wish to make strong representations against the above application, our reasons being the following:-

- 1) Noise pollution, because many people like us have properties along the beautiful seafront of Exmouth and our daytime and nighttime rooms face South from an elevated position. Sound travels. The amphitheatre effect.
- 2) Will the bar have doors and windows open? Then all those local residents who presently enjoy fresh sea air, will have to have their doors and windows firmly closed, against the noise, until the early hours of the morning. Even on Christmas Day and Easter Day and all through the summer. We consider this to be unreasonable. Live bands and amplification are so often a problem. Residents could soon be suffering from serious sleep deprivation.
- 3) SEA and ALCOHOL do not mix. Everyone knows that. This bar and restaurant is right at the edge of the sea and needs to be particularly aware of this.
- 4) Closing time should take into account the noise created by many who could be lacking in inhibition and respect the local residents.

Evidence:

Suggestion:

Person making Representation: John Sealey

Representation Accepted: Representation has been accepted

Reason:

Details:

We have been very much looking forward to the new waterfront development as an exciting new area for families to visit and enjoy. I am upset to learn that Maer Beach Limited have applied for a licence to remain open until 2:30am which seems entirely at odds with the original purpose of the water sports centre.

Queens drive and the Esplanade has always been a quiet and enjoyable location to walk beside the sea at any time of day. I am concerned that allowing this late night licence will result in instances of disorderly conduct and public nuisance and change the entire character of the Exmouth Seafront.

Please note that I strongly object to this application.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: John Culhane
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

We wish to object to the above application. We feel that such a late night extension creates the additional possibility of public nuisance/public safety which could potentially incur additional police intervention. Our local constabulary are already stretched in the daytime never mind late night activity and there are frequent instances of speeding along the beach front during the daytime which we observe whilst we are out and about daily. One wonders whether restraint by customers would be shown after consuming alcohol for several hours!

This venue has the potential to enhance the seafront at Exmouth and if appropriately managed could be a real asset and we were supportive of its creation. However we think a curfew of no later than midnight for all drinking and musical activity would be more than adequate for what is essentially a family resort and not a Monte Carlo type playground!

The cost of the extra policing would have to be borne locally and fall upon Councils and ultimately Council Tax payers which at the current time, particularly with many additional costs, would simply not be appropriate. We trust, therefore, that the Licensing Authority will refuse the application in its current form.

Evidence:

Suggestion:

A curfew of no later than midnight for all drinking and musical activity would be more than adequate.

Person making Representation: Marian Culhane
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

We wish to object to the above application. We feel that such a late night extension creates the additional possibility of public nuisance/public safety which could potentially incur additional police intervention. Our local constabulary are already stretched in the daytime never mind late night activity and there are frequent instances of speeding along the beach front during the daytime which we observe whilst we are out and about daily. One wonders whether restraint by customers would be shown after consuming alcohol for several hours!

This venue has the potential to enhance the seafront at Exmouth and if appropriately managed could be a real asset and we were supportive of its creation. However we think a curfew of no later than midnight for all drinking and musical activity would be more than adequate for what is essentially a family resort and not a Monte Carlo type playground!

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Evidence:

Suggestion:

A curfew of no later than midnight for all drinking and musical activity would be more than adequate.

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: P L Webster

Representation Accepted: Representation has been accepted

Reason:

Details:

Mickey's Beach Bar & Restaurant Café Patisserie Glacerie

I wish to make it known that I have an objection over the excessive amount of music, live/recorded, that the above premises has applied for on Exmouth seafront.

It is an amazing project, so let's not spoil it all by causing distress and upset to the local residents who have supported this new project, and are looking forward to being part of it all. So maybe, a "quiet" time in the afternoon & night time, not too "late". Let's enjoy what we have & keep everybody happy.

P L Webster

Evidence:

Suggestion:

Person making Representation: Terry Smallwood

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir / Madam

I feel strongly that this license application should be refused. Firstly it is completely at odds with the amenity and ambience of the waterfront, which has been improved through the new centre. This new complex is not meant to be a late night drinking area or a "night club".

Secondly and more importantly, "prevention of public nuisance" is key here. We cannot have noise, rowdy behaviour etc whilst under the influence of alcohol. In my view this would be inevitable as the younger generation would use such a venue.

Thirdly, this would not assist in the "promotion of public safety". This area is used a great deal by residents and the potential for the public being at risk would be very high with the clientele from such a licensed establishment.

Fourthly, "the prevention of crime and disorder". Late night revellers often do scilly and stupid things. This can simply be avoided by refusing this application.

I find it hard to believe that such an application could be successful. There are already many drinking establishments on the seafront, one like this is not required.

Terry Smallwood

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Robert Tweedie

Representation Accepted: Representation has been accepted

Reason:

Details:

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

Representation: Made by Robert Tweedie, Regarding, Licence Application No. 051731 by Maer Beach Ltd for Mickey's Beach Bar & Restaurant and Café Patisserie Glacerie, Unit 1, Sideshore, Queens Drive, Exmouth, EX8 2DS.

Dear Sir or Madam

I am writing to you today to voice my concerns about the public nuisance caused if this application were to go ahead.

I would like you to not allow live or recorded music in this venue on the grounds of public nuisance.

1.As "The main entrance to the premises has an effective lobby to minimise the breakout of noise." This is missing between the Inside and the "Outside Event Space" which would mean continued daily public nuisance in the way of noise pollution to the surrounding residents.

2.There is no mention in their application with regards to trying to keep the doors closed to the "Outside Event Space". These doors would be in continued use or just kept open during nice weather days, the same days in which local residents would like to use their balconies and gardens.

3.It is clear to see that no consideration to inside acoustics and noise levels has been given. With all the hard flat surfaces such as mirrors and windows, hard furnishings and a high roof. This means that there is nothing to deaden or absorb the noise levels coming from inside the venue. On the contrary the high roof will even act as an acoustic amplifier increasing noise levels. I do not see that those responsible will be able to control noise pollution levels coming from Mickey's.

4.The high roof inside Mickey's would favour the amplification of low frequencies these are known as the bass frequencies, which travel much further than other frequencies due to the relatively large size of wavelengths involved. Again, I do not see that those responsible will be able to control noise pollution levels coming from Mickey's.

I would also like you to consider revising the opening hours to that of 0900 to 2300 to avoid a further public nuisance.

1.The noise coming from Mickey's patrons as they leave the premises would disturb local residents late into the night with drunken frolicking, vehicles and other unwelcome behaviour causing increased noise pollution.

2.If Mickey's were to open at 0700 it would disturb local residents by "the disposal of bottles into waste receptacles". A known public nuisance in the way of noise pollution, which would wake local residents.

3.Unfortunately the increased human activity caused by Mickey's being open late, would have an impact on the beach and local nature reserve in the way of litter and noise pollution, which would be a public nuisance to those wishing to enjoy them.

4.I fear drunk and disorderly behavior would turn into a common place event, if the open hours were to be into the night which would devastate the local ambiance.

If you should require any further discussion on the points raised, please do contact me. Yours Sincerely

Robert Tweedie
Live Sound Engineer.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Lynda C Tweedie

Representation Accepted: Representation has been accepted

Reason:

Details:

To:
The licensing manager East Devon district Council Blackdown House
Border Road
Heath Park industrial estate Honiton EX14 1EJ

Re: Mickey's beach bar & restaurant and café patisserie premises licence application.
Ref No. 051731

Noise pollution and prevention of public nuisance

Having watched the whole project being built I am looking forward to being a customer at Mickey's but I am concerned having seen the photos of the interiors that not enough (if any) thought has gone into the acoustics within these buildings, which sadly is often the case. So I am really not confident about the level of noise that we as local residents are going to be subjected to.

Conditions offered

I am very concerned regarding Mickey's license application even though the conditions offered by the applicant state "noise or vibration from the premises will be maintained at a level that will not be audible at the facade of any noise neighbouring noise sensitive premises."

Public nuisance

I believe that the noise and music that will be generated by Mickey's beach bar and restaurant will be of a significant disturbance to residence in both Trefusis Terrace and Douglas Avenue. In my view I think for us to be subjected to noise every day from 7am until 2:30am or later is both anti-social and unacceptable. You also have to take into account that people will be leaving the establishment at such a late hour and after drinking will be louder than normal and there will also be the noise from vehicles etc. Also with live music and the resident weekend DJs I believe that noise will bleed from the building via the outdoor terraces and I imagine in the summer windows will be open too. There will also be the Christmas parties, while I don't want to stop anyone enjoying themselves or celebrating we all know how rowdy they can get!

Protection of children from harm

Exmouth is very much a family seaside resort which is why we have Devon cliffs as one of Havens largest and outstanding holiday parks. The sale of alcohol from 11am until 2am is 15 consecutive hours and this could attract a different kind of holidaymaker that could deter families from coming. To my knowledge there are no other venues that required such opening times, and my feeling is that if this request was granted it could support antisocial behaviour. It simply isn't necessary to be open for those hours.

In all the news papers and reports I've read about this project the onus has been on the fact that it will be a Seafront Watersports Centre. In an article in DevonLive 22 Nov 2020 by Anita Merritt it says "this project has always been about providing a place for the community and visitors to Sideshore to be able to learn a new sport, take part in fun activities that support well-being, and of course provide a relaxed place to sit eat and drink the local produce on offer."

Public safety and well-being

With this in mind please take into account the well-being of local Community and residents and if deprived of not just a good nights sleep but the option to sit on their balconies or have their windows open and have some quiet time to relax in their own homes how this would severely impact on their mental health as well as their emotional and physical health, it could cause a great deal of stress.

Recommendation

I am looking forward to learning a new sport (kayaking) a fun activity that will support my well-being and I am looking forward to being a customer at Mickey's. However it is my recommendation that Mickey's opening times be from 9am to 11pm, and that sound tests are done on a regular basis to monitor noise pollution during the day and throughout the evening.

Environmental impact

I know this isn't part of the licensing objectives but it is still of concern. So, lastly can I remind you that Sideshore also borders The Maer Local Nature Reserve and observations need to take place to monitor the impact on this very special area and the wildlife that live there. What's being done to protect this area of outstanding natural beauty? Please advise.

I ask you at East Devon District Council to behave responsibly in this matter and regarding this decision as you have the well-being of your local residents in your hands.

Kind regards

Lynda Tweedie

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Peter Tweedie

Representation Accepted: Representation has been accepted

Reason:

Details:

Representation on Licence application 051731

License application by Mickey's Beach Bar & Restaurant and Café Patisserie Glacerie, Unit 1 Sideshore, Queens Drive, Exmouth, Devon, EX8 2GD.

Representation by
Peter Tweedie

Crime and Disorder

Last Summer we saw individuals use the Maer Nature Reserve as a toilet. Also last Summer it was reported in the National Media (BBC, Daily Mail, Daily Mirror, Independent, iNews, Metro, The Sun) that there were fights on the Exmouth beach on consecutive nights. In my view unlawful behaviour will increase as a result of the sale of alcohol daily until 2am and the long duration of the sale of alcohol (11:00 - 2:00 being 15 consecutive hours).

Public Safety/Protection of Children from Harm

See also Crime and Disorder above.

Exmouth has long been seen as a Family Holiday Destination so it's no surprise that Devon Cliffs Holiday Park is Haven's largest park. The sale of alcohol daily until 2am and the long duration of the sale of alcohol (11:00 - 2:00 being 15 consecutive hours) and any associated antisocial behaviour could deter Families from choosing Exmouth as a Holiday destination.

Public Nuisance

See also Crime and Disorder above.

The playing of music from 7:00 until 2:00 (19 consecutive hours) could pose a nuisance to properties along Trefusis Terrace, Douglas Avenue and at the Southern end of Rolle Road. I live on Rolle Road but my property as do others at Rocklands (EX8 2DS) have balcony doors that open onto Trefusis Terrace overlooking Madeira Bowling Club and Sideshore.

On the licence application it states:

"Noise or vibration from the premises will be maintained at a level that will not be audible at the facade of any noise neighbouring noise sensitive premises. The main entrance to the premises has an effective lobby to minimise the breakout of noise."

While comments are made regarding the main entrance. Mickey's Beach Bar has a balcony and there will obviously be access from the interior to the balcony. This access will enable, presumably, any noise/music/vibration to breakout to nearby residences such as my own. Any open windows will also enable any noise/music/vibration to breakout to nearby residences.

Changes I would like to see made to the Application which would address my concerns

Regarding the Opening Hours

Monday to Sunday 08:00 - 23:00

Regarding the Supply of Alcohol

Monday to Sunday 11:00 - 23:00

Regarding the Provision of Music

I would like further guarantees that any noise or vibration from the premises will not be audible or experienceable (with regards to vibration or bass) at nearby residences.

Provision of music (recorded) Monday to Sunday 11:00 - 23:00 maintained at a level not audible or experienceable at any other premises or residences.

Provision of music (live or DJ) Not Permitted

Disposal of bottles into waste receptacles (hopefully to be recycled) will not be permitted to take place between the hours of 22:00 and 08:00.

Peter Tweedie, Wednesday 17th March 2021

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Ann Louis

Representation Accepted: Representation has been accepted

Reason:

Details:

The Licensing Manager East Devon District Council Blackdown House
Border Road
Heathpark Industrial Estate
Honiton EX14 IEJ 14th March 2021

Dear Sir/Madam

Mickeys Beach Bar and Restaurant and Cafe Patisserie Glacerie Ref No. 051731 Applicant - Maer Beach Limited

I strongly oppose to the above premises remaining open after 11.00 p.m. A license extension can be applied for when necessary and, if granted, on these occasions all windows in the restaurant and bar should stay closed and the outside restaurant/bar patio area should not be used.

Residents in Douglas Avenue, Trefusis Terrace and Louisa Terrace will be adversely affected if permission is given to Maer Beach Limited to remain open after 11.00 p.m. Are the Exmouth police able to effectively patrol the sea front as well as the town centre?

This is a wonderful development and I very much hope that it will be run more along the lines of a restaurant with similar hours to The Grove and Ocean and not a night club, which could attract anti social behaviour to Exmouth's finest asset - the beach.

Yours faithfully

Ann Louis (Mrs)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Michele Ward

Representation Accepted: Representation has been accepted

Reason:

Details:

16/03/2021

Dear Sirs

Planning Application Ref. No.051731

My husband and I read the licence application by Maer Beach Ltd. Regarding Mickey's Beach Bar and Restaurant with some alarm. We had been looking forward to the opening of, what seemed to promise, a prestigious new venue to Exmouth sea front. However, on reading the detail of the application it seems that the bar, at least, will present as being little different to a standard Exmouth pub/club.

Live music until 11.00 pm and recorded music potentially until 02.00 in the morning up to seven days-a-week is worrying. We live in Douglas Avenue directly behind the new venue and probably appear to live far enough away not to have to be concerned by this. We certainly were not sent details of this application directly. However, this is not the case. It is probable that any music playing loudly will be easily carried to us because of the prevailing south-west wind and lack of barriers in between. We can easily hear, for example, from the Pavilion when played outside.

We recognise that the music licence request is only for music to be played indoors. However on a summer's night if the windows of the venue are left open we will be disturbed without doubt. May we request, if the licence is granted, that a condition be laid that doors and windows have to be kept closed when music, live or recorded, is being played. This is a condition applied to other town venues we believe.

Generally we also feel that the range of hours indicated as required for the music playing is rather extreme as are the actual indoor alcohol consumption hours. The range of general opening hours also seems to be unnecessarily long. Closing the premises at 02.30 with drinking allowed until 02.00 seems to indicate that the premises are going to operate more like a disco/nightclub than a bar. The use of door staff at the weekends appears to confirm this. This is certainly not the venue we imagined was coming!

The outdoor ' events space ' is to be used for what other than drinking and eating? In which case, even if no music is allowed outside, this also could lead to problems of noise with potentially large groups congregating after a day at the beach etc. Another condition which should be considered is that this area is also monitored by security staff Especially important would be ensuring no alcohol is consumed outside after 11.00 pm. There have been disorder problems in the past from large numbers of mainly young people congregating in beach areas and we would not like anything to encourage this again. We hope too that the Maer Nature Reserve will not suffer from any side effects from the venue and that this too will be monitored regularly.

We certainly hope that the venue will be everything we hoped it would be- a prestigious venue for use by all ages. We very much hope we will not be disappointed.

Yours sincerely

Michele & Robert Ward

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Robert Ward

Representation Accepted: Representation has been accepted

Reason:

Details:

16/03/2021

Dear Sirs

Planning Application Ref. No.051731

My husband and I read the licence application by Maer Beach Ltd. Regarding Mickey's Beach Bar and Restaurant with some alarm. We had been looking forward to the opening of, what seemed to promise, a prestigious new venue to Exmouth sea front. However, on reading the detail of the application it seems that the bar, at least, will present as being little different to a standard Exmouth pub/club.

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The outdoor 'events space' is to be used for what other than drinking and eating? In which case, even if no music is allowed outside, this also could lead to problems of noise with potentially large groups congregating after a day at the beach etc. Another condition which should be considered is that this area is also monitored by security staff Especially important would be ensuring no alcohol is consumed outside after 11.00 pm. There have been disorder problems in the past from large numbers of mainly young people congregating in beach areas and we would not like anything to encourage this again. We hope too that the Maer Nature Reserve will not suffer from any side effects from the venue and that this too will be monitored regularly.

We certainly hope that the venue will be everything we hoped it would be- a prestigious venue for use by all ages. We very much hope we will not be disappointed.

Yours sincerely

Michele & Robert Ward

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Michael Golby

Representation Accepted: Representation has been accepted

Reason:

Details:

The Licensing Manager
East Devon District Council Blackdown House
Border Road
Heathpark Industrial Estate Honiton EX14 JEJ

Dear Sir/Madam,

I wish to lodge strong objections to Maer Beach Limited application ref. 051731 for License Mickey's Bar.

These objections are to :-
Premises open hours 07:00 to 02:30
F playing recorded music 07:00 to 02:00
J Supply of alcohol on premises 11:00 to 02:00

All 3 requests, if granted, will be followed by another hour of departures by noisy revellers, drunks and possible drug users frequently revving motor bike and car engines or further beach parties.

"Recorded music" means including DJ controlled and discos.

To submit elderly and infirm residents of the blocks of flat at 2, 4, 6 and 8 Douglas Avenue (perhaps in excess of 1000 people) will be barbaric and inhuman. To reduce their chance of a quiet night's sleep to only 4 hours is also another abuse.

The residents of Louisa and Trefussis Terraces already have had experience of these conditions and in Douglas Avenue we well remember last year when police had to break up beach parties

Please reduce these requests to reasonable hours so that resident can continue to enjoy living in Exmouth and not turn it into a down market Blackpool.

Yours in Hope

Michael Go by

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Martin S Heslop

Representation Accepted: Representation has been accepted

Reason:

Details:

15th March 2021

Dear Sir/Madam

RE: LICENSING APPLICATION NO 051731

Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie

1. This letter is to make representations in respect of the above licensing Application.

2. We live almost immediately behind the site of the property for this application and believe we are therefore in a position to make significant representations under the licensing objectives in respect of the licensing hours applied for.

3. We make it clear that were the licensing hours limited to those operating at the nearby Ocean Premises (Harlequins Leisure) we would have little difficulty with this application.

4. However, extension beyond those hours to include, for example, allowing consumption of alcohol until 02.00 am and the premises closing time of 02.30 am will impact adversely on the first 3 fundamental licensing objectives and will have a significant impact on the right of local residents to privacy and family life.

In respect of the licensing objectives:

5. We have real concern that allowing the premises to remain open so late and permitting the sale of alcohol beyond that already permitted for the nearby Ocean Premises will

- a) be likely to increase crime and disorder
- b) impact adversely upon public safety and
- c) increase the likelihood of public nuisance.

We say this because

6. even with the licensing hours as they are for Ocean, we regularly experience significant anti-social behaviour including drug taking and illegal consumption of alcohol in and around the area after 23.30.

Allowing later licensing hours than Ocean, can only promote the potential for this problem to increase and spread to a larger area, thereby raising the likelihood of an increase in crime and disorder.

Such likely increase in crime and disorder will necessarily impact adversely upon public safety.

Later licensing hours are bound to increase the noise factor generally whether from the premises or on leaving, in an area which is residential and suffers from wind directed noise from a prevailing direction which means many residential properties will be adversely affected.

We have already found the noise from Ocean during occasional late night licenced events is very intrusive.

7. Further, the Committee will appreciate that any grant for licensing hours extended from those of Ocean are likely to set a precedent for other future proposals.

We recognise that the Committee will consider each application upon its merits but suggest the potential for opportunism in further applications is something the Committee should be alive to.

8. The Committee will recognise it has a duty to protect the rights of residents to privacy and family life.

These considerations will obviously have been taken into account when making decisions about the licensing hours for Ocean. It is difficult to see how the situation can have changed so as to allow another entertainment venue to be granted extended hours.

9. In the light of our representations, we ask the Committee to refuse the applied for licensing hours and invite it to impose similar hours to those of Ocean.

Yours faithfully

Jenny and Martin S Heslop QC

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Jenny Heslop

Representation Accepted: Representation has been accepted

Reason:

Details:

15th March 2021
Dear Sir/Madam

RE: LICENSING APPLICATION NO 051731
Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie

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6. even with the licensing hours as they are for Ocean, we regularly experience significant anti-social behaviour including drug taking and illegal consumption of alcohol in and around the area after 23.30.

Allowing later licensing hours than Ocean, can only promote the potential for this problem to increase and spread to a larger area, thereby raising the likelihood of an increase in crime and disorder.

Such likely increase in crime and disorder will necessarily impact adversely upon public safety.

Later licensing hours are bound to increase the noise factor generally whether from the premises or on leaving, in an area which is residential and suffers from wind directed noise from a prevailing direction which means many residential properties will be adversely affected.

We have already found the noise from Ocean during occasional late night licenced events is very intrusive.

7. Further, the Committee will appreciate that any grant for licensing hours extended from those of Ocean are likely to set a precedent for other future proposals.

We recognise that the Committee will consider each application upon its merits but suggest the potential for opportunism in further applications is something the Committee should be alive to.

8. The Committee will recognise it has a duty to protect the rights of residents to privacy and family life.

These considerations will obviously have been taken into account when making decisions about the licensing hours for Ocean. It is difficult to see how the situation can have changed so as to allow another entertainment venue to be granted extended hours.

9. In the light of our representations, we ask the Committee to refuse the applied for licensing hours and invite it to impose similar hours to those of Ocean.

Yours faithfully

Jenny and Martin S Heslop QC

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: P Wedlake
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

The Licensing Manager
EDDC
Honiton

16.03.2021

Dear Sirs

Application for Licensing - Mickey's
Beach Bar, Exmouth. 051731

It is difficult to understand the need for such excessively long opening hours, 7.0 am until 2.0am every day, requested for this bar.

The "fine dining" which Michael Caine had originally explained would be offered seems at odds with the encouragement of binge drinking and drunkenness. This could lead to much traffic & music noise in a residential area.

I would like to protest at these very expansive opening hours being allowed.

Isn't this supposed to be a water sports centre???

Yours faithfully

P.Wedlake (Mrs)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Jean Jordan

Representation Accepted: Representation has been accepted

Reason:

Details:

The Licensing Manager East Devon District Council Blackdown House
Border Road
Heathpark Industrial Estate Honiton EX8 1EJ

17th March 2021

To: The Licensing Committee

RE: PREMISES LICENCE APPLICATION NO 051731

By Maer Beach Ltd for
Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie Unit 1, Sideshore, Queens Drive,
Exmouth, Devon EX8 2GD

I wish to make strong representations in respect of the above application.

Having regard to the four primary licensing objectives, I object to it on the following grounds:

- 1 It will be likely to increase crime and disorder.
- 2 It will be likely to impact adversely on public safety.
- 3 It will be likely to increase public nuisance at the site and the surrounding area and
- 4 It will be likely to adversely affect the safety of children.

I live in a residential road directly behind the Ocean Complex and I can see the Sideshore Development from my top floor flat, which is only 5 minute's walk away.

There is already a great deal of disturbance and nuisance often well past midnight in the locality having regard amongst other things to the present licensing hours of Ocean.

Granting this application and thereby extending the licensing hours for it beyond those of Ocean will only exacerbate the problem which already exists including drunkenness and drug taking in the area. This will be likely to increase crime and disorder and impact adversely on public safety. Gunfield Gardens are already regularly being used for anti-social behaviour and as a toilet day and night. We could well see the Maer suffering the same problems.

Further, as the Committee will well appreciate, noise travels further at night and is therefore I kely to create a public nuisance for the surrounding area if allowed to continue as late as the application seeks.

The protection of children is a worry since often groups of youngsters are regularly out and about very late at night and the potential for more inebriated persons dispersing from these premises as late as 02.30, must raise concerns for their wellbeing and indeed that of others in the area around that time.

In addition, I believe as a resident, I am entitled to my privacy and family life. I recognise that this is an holiday destination and the Sea Front should be used appropriately to benefit the Town. But, I fear that licensing these premises to such a late hour will significantly interfere with the quiet enjoyment of my rights and those of other local residents who live nearby.

I hope the concerns I have raised above, will be carefully considered by the Committee in their del berations.

Yours faithfully

Mrs Jean Jordan

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: M J Pickup
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details: 15.03.2021

Ref.number 051731
Mickey's Beach Bar
Unit 1 Sideshore
Queens Drive
Exmouth EX8 2GD

The Licensing Manager,
Dear Sir

I object to the application from Maer Beach Ltd. The opening hours are far too long, and I am concerned about the noise. Where I live it seems the noises from the prom area just drifts up here. I know this from when there were events at the Ocean Grill which is nearby. So I consider the whole proposal absolutely deplorable.

Yours sincerely

M.J. Pickup (Mrs)

Evidence:

Suggestion:

Person making Representation: Sheila M White
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details: EDDC
Licensing Dept

Dear Sirs, Re licence application Mickeys Bar
051731

I object to the granting of a license to this applicant on the grounds of nuisance, noise related and the hours to 2am.
In the summer, doors and windows are open and noise travels! Are decibel levels used in these cases? Is there any control in people being drunk? And them possibly ejected to be in public nuisance. I have had experience of Maer so called parties which got louder and more abusive as time went on.
The police can not be everywhere and its regrettable people fail to act respons bly

Yours faithfully

Sheila M White (Mrs)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Peggy Lancaster

Representation Accepted: Representation has been accepted

Reason:

Details:

Ref number 051731

Dear Sir/Madam

I am writing in connection with the Licence application of Mickey's Beach Bar to have music and the selling of alcohol on the premises up until 2am.

I live on Douglas Avenue and I can see Mickeys Bar across the Maer. I would also be able to hear the music and resulting revellers.

There is already noise of revellers on the front at weekends so I do not relish the thought of more especially all through the week Therefore I suggest the time limit is reduced to Midnight daily both for music and the selling of alcohol but especially the selling of alcohol. This is suggesting a compromise for both parties.

Yours faithfully

Peggy Lancaster

Evidence:

Suggestion:

Person making Representation: Teg Berry

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir/Madam,

Re: new Premises Licence at Mickey's Beach Bar & Restaurant and cafe Patisserie Glacerie Unit 1
Sideshore, Queens Drive, Exmouth, EX8 2GD

I write to express my concerns and objections to this application. Whilst I welcome this new development on Exmouth seafront and think it will be great for the town and the seafront, I cannot support a late bar with music beyond midnight. I live close to this development, in fact I can see it well from the back of my home. Given our prevailing winds are south/south westerly, the noise will carry very easily to all the homes along this part of Douglas Ave and beyond. I am already regularly disturbed by noisy racing cars along the seafront late at night and given this music could be a nightly occurrence I think it is unreasonable given we need to sleep to be fit to work the next day.

In addition, my house adjoins the pedestrian walkway that connects Douglas Ave, via the path between the bowling green and the cricket club, to the Sideshore development so it is inevitably going to be used as a route home for those who have been drinking late at Mickey's bar. Of course, I have no objection to people enjoying themselves but we all know that a few glasses of alcohol can lead to raised voices/singing/ laughing loudly etc on the route home. I would fully expect to be woken nightly at 2am by my dog barking at raised voices on their way home through this wa kway.

Thank you for considering these points Yours sincerely
Teg Berry (local resident)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Rosina Burgess

Representation Accepted: Representation has been accepted

Reason:

Details:

March 17th 2021

Dear Sir, or Madam.

I wish to register my concerns, regarding the application of proposed licensing and opening house of Maer Beach Ltd. Exmouth.

As this area is home to important fauna, and is in close proximity of residential areas, I feel that that opening hours, much of which will have either live or recorded music, to be excessive. The premises is proposing to be open for 20.5 hours in every 24hr period.

Please consider our concerns.

Yours sincerely

Rosina Burgess

Evidence:

Suggestion:

Person making Representation: Geoff Crawford

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear sirs,

I would like to object to the application for 2am music and alcohol license as detailed below.

I consider it inappropriate to allow a 2am licence to a venue outside of town centre and located in an area of outstanding natural beauty.

The additional traffic generated at an unreasonable time and potential for anti social behaviour off premises in an area close to care homes, retirement homes and generally a very very quiet neighbourhood is unacceptable and not with keeping for this specific location.

In addition to the above, the application stated 'indoors' the design of this building has a 30% first floor open area which is classed as semi indoor / outdoor.

Ref 051731 Maer Beach Limited

Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie, Unit 1 Sideshore, Queens Drive,
Exmouth, EX8 2GD
Exmouth Town

Thank you for your consideration.

Regards,

Geoff Crawford

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: David Buller
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir / Madam,

I wish to object to the application for a 7pm - 2am music and alcohol license currently being applied for by Maer Beach Ltd, see more details at the end of this email.

It is entirely inappropriate for a venue outside of the town centre and located in an area of outstanding natural beauty to be playing loud music and selling alcohol after 10:00pm. There is likely to be extra traffic driving to and fro at unreasonable hours, and increased potential for off premises anti-social behaviour within what is currently a very quiet residential neighbourhood having a high proportion of care and retirement homes. My view is that allowing a noisy bar to operate until the early hours is not in keeping with the area.

In addition to the above, the application states 'indoors' but the design of this building has a 30% first floor open area which is classed as semi indoor / outdoor.

Kind regards,

David Buller

Ref 051731 Maer Beach Limited
Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie, Unit 1 Sideshore, Queens Drive,
Exmouth, EX8 2GD

Evidence:

Suggestion:

Person making Representation: Nicholas Sage
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Licensing Manager,

I have recently read the public notice informing me that Mickey's Beach Bar and Restaurant has applied for late night / early morning opening hours until 02.30 in the morning. I feel that this is totally unacceptable given the location of the bar and restaurant which is in a very quiet part of Exmouth and an area of outstanding natural beauty, well away from the town centre and very close to a number of care and retirement homes. It would not be at all acceptable for the new bar and restaurant to be open at these hours, especially given all the additional traffic and noise outside that will occur as a result.

I would therefore like to state my opposition to this proposal.

Yours sincerely,

Nicholas Sage

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Elaine Lewis

Representation Accepted: Representation has been accepted

Reason:

Details:

Licensing application 0151731 Micekys Beach Bar and Restaurant and Cafe Patisserie.

I wish to object to the above Licensing application.

This application relates to a restaurant built in a very sensitive position bordering the sand and seascape of the glorious Exe Estuary, the unique Site of Special Scientific Interest of The Maer and residential dwellings. These three areas stand to suffer significant detriment due to increased noise and light pollution, the classic poor behaviour that follows on from inebriation including disorder, increased littering including smashed glass from bottles taken onto the beach and the loss of a public space of tranquil contemplation to name just a few of the obvious problems that the excessive opening hours and supply of alcohol until 2.30am outdoors every day of the year would inevitably bring if this application is successful in its current form. The fine line between enjoyment and nuisance could be supported by reducing the hours requested by the applicant to those of other restaurants in Exmouth. Also by limiting the number of days that the outside event space could be used and by special application only.

-This application is for late night music until 2am on 365 days of the year. The resultant nuisance from noise, which could happen every night if this application is granted in its present form. would be totally inappropriate in this area which is residential, an SSSI site and beachfront. The terms of the application should have reduced hours specified for music. Also sound mitigation needs to be in place, with consideration of when the sliding roof can be opened as this will negate any efforts for sound baffling.

-A blanket application of 15 hours per day until 2pm for the sale of alcohol indoors for every day of every year would surely encourage drunken behaviour bringing public disorder into this tranquil, family orientated beachside area of Exmouth. I wish to suggest normal restaurant opening hours of 11pm to be specified with no extensions.

- Even more disturbing is that this application is for the sale of alcohol until 2.30am on every day of the year for OUTDOOR consumption. The resulting multiple disturbances inevitably associated with inebriation into the early hours would be a significant public nuisance. The requested 2.30am closing time would be a draw, as the only place open, for people to gather there after a night of drinking elsewhere. The potential for associated noise and disorder from this outdoor space every night until 2.30am would surely constitute a public nuisance.

-This restaurant is adjacent to a notoriously treacherous stretch of water where the River Exe meets the sea. Drunkenness and swimming do not mix.

-Policing this area until 2.30am would stretch an already limited police capacity.

Elaine Lewis 18.3.21

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Jane Ashton

Representation Accepted: Representation has been accepted

Reason:

Details:

Licensing Application Ref 051731 Maer Beach Ltd.
Premises: Miceys Beach Bar and Restaurant and Cafe Patisserie Glacerie

Date of this representation 19/03/2021

The entire seafront is an area which ALL Exmouth residents and our visitors should be able to use day and night, all year round and feel safe without encroaching on the enjoyment and activities of others. I, for one, want to continue to enjoy late-night walks along the beach watching the moon on the water, listening to the waves lapping or crashing and just being at one with nature.

The points I wanted to raise as objections and concerns are these.

1) Application states 'All drinks in outside space will be served in polycarbonate containers.' Surely not? Polycarbonate is a non-recyclable plastic which does not biodegrade and the chemicals leech into the environment.

This is an unboundaried site and late-night refreshments outdoors could cause a litter problem and marine pollution. Very tight restrictions would need to be put on timings of use of outside space and monitoring disposal of non-plastic drink containers. Prevention of harm to the environment and wildlife.

2) There is already light pollution from unnecessarily bright lighting of the car-parking area, both at sea-level and from higher in the residential areas. Prevention of harm to the environment and wildlife. As well as wildlife on the Maer, marine life and sea-birds roost on the water and at Dawlish Warren, it must already have an effect on the well-being of walkers, visitors and residents alike and certainly on the residents of Trefusis Terrace and Douglas Avenue. Prevention of public nuisance

3) Application states "Noise and vibration from the premises will be maintained at a level that will not be audible at the facade of any noise neighbouring noise sensitive premises." That's a vague and unsubstantiated statement. Indoor performance of live music or recorded music (streamed or with DJ) cannot be contained when, in mild weather, the doors and roof area will either be open or the movement of customers from indoors to outdoors and vice-versa will entail seepage of sound. Prevention of public nuisance

The potential noise disturbance needs to be properly, scientifically measured before this License is approved. Noise travels differently over water. Prevention of harm to the environment and wildlife. Even at fairly low levels, the sensitivity of wildlife in this area has not been considered along with disturbance to residential properties.

4) Promotion of public safety, Prevention of crime and disorder, The requested timings (until 2am or 2.30am) are inappropriate. I know of no other pub, hotel, restaurant or even glacerie in Exmouth that has such late licensing hours.

The only night-club in the town which had a later licence sadly closed this week.

Giving permission for those hours will set a precedent close to this sensitively sited piece of land. If that precedent is set, I'm concerned that Exmouth will not have sufficient Police resources, NHS resources, and Emergency services to guarantee the safety of late-leaving customers so close to an area of coastline, known to be unsafe for swimmers even in the sober light of day.

Alcohol, late at night, in such close proximity to a dangerous current = a risk to life.

I am certainly not against late-night drinking in bars, night-clubs or discos. Exmouth has other smaller, highly successful restaurant/bar/wine-bars which are licensed for music and late-night drinking and are apparently skilfully managed by experienced proprietors.

If I were convinced that that is the kind of establishment that's being proposed by this application, I'd be partly reassured. However, when the application states "a ratio of 2 doorstaff for the first 150 customers (after 9pm) and an additional one for every 75 customers thereafter" I am alarmed.

Even 150 customers equates to 5 rooms of 30 students- but bigger- all in a comparatively small space. (I have just visualised this as a teacher and also as a night-club frequenter.) Add another 75 and then more

Unless limitations and more conditions were to be laid down, I see this as a safety issue for customers both indoors and out and for late-night passers-by especially at 'turning out time.' Prevention of public nuisance. Please put limitations on the numbers and the hours.

I fully acknowledge that a town like Exmouth needs one or two vibrant 'night clubs', places for the young and the not-so young to BE young. Those need to be in the town. It's a harsh reality that a distinction needs to be made between both the regulations and the suitability of the site.

The Sideshore site is not appropriate, not safe and will damage our would-be eco-friendly reputation. In its current form, without several limitations added and conditions altered, I object to this application.

In the application for planning permission for the premises named above, where were the words 'night-club' or 'late night drinking establishment?' This Licensing application further demonstrates the lack of transparency shown throughout the process of this entire development on what purported to be primarily a 'Watersports' site.

I'd like to request confirmation of receipt of this representation, dated 19/03/2021

Jane Ashton,

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Evidence:

Suggestion:

Person making Representation: Dee Tracey

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir,

We have no objection to the proposed business operating within normal licensing hours. We do, however, object to the application as it stands on the following grounds:

1. There is already a degree of anti-social behaviour on the sea-front, particularly with over-revving of motorbikes driven at excessive speeds. If these should meet, or be exacerbated by, drunken late-night revellers, the consequences could be disastrous. The area is well away from the town centre, where the police are already over-stretched, and is, therefore, very unlikely to be properly and effectively monitored.
 2. This has implications also for the safety of the public at large. Whilst it is unlikely that there will be large numbers involved, people do like to take quiet and peaceful late night strolls along the front, and they do not want to have to avoid crowds of drinkers in order to do so. Alcohol might only be served indoors after 23.00, but does anyone really believe that the drinkers will not spill outside? On a warm summer's evening, are all the doors going to be shut to keep the drinkers inside?
 3. This is quite apart from the fact that the availability of outdoor drinking for twelve solid hours, right on the sea front, is a positive enticement to anti-social behaviour.
 4. Perhaps worse is the threat of music from 7am until 2am. When is there to be any respite? Loud music penetrates a long way in quiet conditions, even when it is played indoors. Whilst this in itself would be bad enough, does anybody seriously expect that all doors and windows are going to remain tightly closed for four hours on a summer night? Even if doors open only to let people in and out, there would be an inevitable escape of noise, and that is the very least that could happen. How are local residents supposed to avoid this penetrating nuisance?
 5. During the day the noise pollution would be to a certain extent masked by the other sounds of daily life, but it would still be very intrusive for people trying to enjoy a peaceful stroll along the seafront, particularly as all doors and windows would doubtless be wide open at those times.
- The development was sold to Exmouth as a watersports centre, with attached restaurant and a few discreet shops. The applicant is trying to turn it into a nineteen-hour night club, and the potential for anti-social behaviour, with all its accompanying risks to the general public, is far too great. Worse still is the noise pollution and disturbance to users of the seafront, and, particularly, to local residents for a large area around, whose days and nights would be endlessly disturbed by something over which they would have no control.

The application should be rejected and the applicant told to come back with something far more suitable to the location.

Yours faithfully,

Mike and Dee Tracey

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Mike Tracey

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir,

We have no objection to the proposed business operating within normal licensing hours. We do, however, object to the application as it stands on the following grounds:

1. There is already a degree of anti-social behaviour on the sea-front, particularly with over-revving of motorbikes driven at excessive speeds. If these should meet, or be exacerbated by, drunken late-night revellers, the consequences could be disastrous. The area is well away from the town centre, where the police are already over-stretched, and is, therefore, very unlikely to be properly and effectively monitored.
2. This has implications also for the safety of the public at large. Whilst it is unlikely that there will be large numbers involved, people do like to take quiet and peaceful late night strolls along the front, and they do not want to have to avoid crowds of drinkers in order to do so. Alcohol might only be served indoors after 23.00, but does anyone really believe that the drinkers will not spill outside? On a warm summer's evening, are all the doors going to be shut to keep the drinkers inside?
3. This is quite apart from the fact that the availability of outdoor drinking for twelve solid hours, right on the sea front, is a positive enticement to anti-social behaviour.
4. Perhaps worse is the threat of music from 7am until 2am. When is there to be any respite? Loud music penetrates a long way in quiet conditions, even when it is played indoors. Whilst this in itself would be bad enough, does anybody seriously expect that all doors and windows are going to remain tightly closed for four hours on a summer night? Even if doors open only to let people in and out, there would be an inevitable escape of noise, and that is the very least that could happen. How are local residents supposed to avoid this penetrating nuisance?
5. During the day the noise pollution would be to a certain extent masked by the other sounds of daily life, but it would still be very intrusive for people trying to enjoy a peaceful stroll along the seafront, particularly as all doors and windows would doubtless be wide open at those times.

The development was sold to Exmouth as a watersports centre, with attached restaurant and a few discreet shops. The applicant is trying to turn it into a nineteen-hour night club, and the potential for anti-social behaviour, with all its accompanying risks to the general public, is far too great. Worse still is the noise pollution and disturbance to users of the seafront, and, particularly, to local residents for a large area around, whose days and nights would be endlessly disturbed by something over which they would have no control.

The application should be rejected and the applicant told to come back with something far more suitable to the location.

Yours faithfully,

Mike and Dee Tracey

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Sue Benz

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sirs

I would like to object to the application for 2am music and alcohol license as detailed below.

I consider it inappropriate to allow a 2am licence to a venue outside of town centre and located in an area of outstanding natural beauty.

The additional traffic generated at an unreasonable time and potential for anti social behaviour off premises in an area close to care homes, retirement homes and generally an extremely quiet neighbourhood is unacceptable and not with keeping for this specific location.

In addition to the above, the application states 'indoors' but the design of this building has a 30% first floor open area which is classed as semi indoor / outdoor.

Ref 051731 Maer Beach Limited
Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie, Unit 1 Sideshore, Queens Drive,
Exmouth, EX8 2GD
Exmouth Town
Thank you for your consideration.

Yours Sincerely
Susan Benz

Evidence:

Suggestion:

Person making Representation: Richard Stradling

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sirs,

Ref 051731 Maer Beach Limited
Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie, Unit 1 Sideshore, Queens Drive,
Exmouth, EX8 2GD
Exmouth Town

I wish to register my objection to the above application for a 2am music and alcohol licence.

I consider it inappropriate to allow a 2am licence to a venue outside of the town centre and located in an area of outstanding natural beauty.

The the impact should be considered of the additional traffic generated at an unreasonable time and potential for anti social behaviour off premises in an area close to care and retirement homes and a tranquil residential area. In addition I note that the application provides for some door security, but I wish to register my concern that it is unreasonable to expect this limited measure to extend to ensuring anti social behaviour does not take place on the beach and surrounding areas.

Additionally, I wish to raise concerns that the licence will extend to the first floor area which has a retractable roof. Serving alcohol until 2 am seven nights a week in an area where the roof is retracted will only exacerbate the disturbance to the surrounding area.

Yours sincerely
Richard Stradling

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Carol Metcalfe

Representation Accepted: Representation has been accepted

Reason:

Details:

My Details: Carol Metcalfe

Representation Re. Ref. No 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Glacerie
Unit 1 Sideshore, Queens Drive, EX8 2GD

Please note and amend: the applicant's premises is in Littleham Ward, not Town Ward as stated on this application.

Unlike the urban Town Ward, Littleham Ward is a predominately residential area, with the local Maer Nature Reserve and a long, expansive seafront.

I believe that the application for a licence to play live and recorded music, supply alcohol and light refreshments into the early hours of the morning at the applicant's premises, as it stands, should not be approved. The intention of Sideshore was to provide a seafront watersport centre for the benefit of the community. A commercial restaurant and retail outlets selling watersport related goods was included as part of the build. This was to finance the repayment of the cost of the construction. A late-night venue/nightclub was never mooted in the vision and planning for the applicant's premises. There is a great difference between a restaurant/bar and a night club (although the applicant does not specifically describe it as such). A nightclub at this premises, at this location would be inappropriate and a betrayal of intended use and purpose.

I am a resident of Douglas Avenue. The apartment building in which I live is in an elevated position and is one of the closest properties to the applicant's premises. My living room and main bedroom face the applicant's premises. My property is in audible range of the applicant's premises (I can hear the sea which is adjacent to the applicant's premises). Exmouth seafront is an open, low rise, coastal area where noise rises and travels across the town. In the past I have experienced occasions when the sound of music and cinema films played at the nearby 'Queen's Drive' space, Manor Gardens and even from the Imperial Recreational Area have intruded volubly and noisily into my apartment. Although causing some intrusion, disrupting the quiet enjoyment of my home, the events have been infrequent and have ended at 23.00. This is reasonable and acceptable and have not caused a nuisance by preventing sleep at night.

The applicant has applied for a licence to open his premises until 2.30am every day of the year, supply alcohol and play recorded music from 7.00 to 2.00 every day of the year, plus live music from 12.00 to 23.00 every day of the year. A late-night venue, open into the early hours of the morning is inappropriate at this non-urban, residential and coastal location. If this is approved there is a great likelihood that the noise of music into the early hours of the morning, together with drunk and disorderly patrons leaving the premises during the early hours of the night, the time when most people sleep, will cause a significant nuisance to those people who live in surrounding residential properties. Several of the properties overlooking the applicant's premises are residential homes for the elderly. There is also a children's residential school in the local vicinity. Added to the nuisance to human residents there are a number of protected species of birds and other wildlife that inhabit or feed at the adjacent local Nature Reserve and Pole Sands. These could easily suffer harm as the result of noise pollution. It was a condition of the planning approval granted for the premises that any lighting installed must not impact on the protected wildlife. The effects of loud and constant noise will have a similarly detrimental effect on the welfare of the wildlife.

My concern about the potential outcomes of this licensing application, the potential increase of noise, disturbance and subsequent nuisance are exacerbated by a paucity of detail supplied by the applicant. In particular he has failed to provide clear details of any guardrails he would put in place to prevent nuisance and disturbance to local residents and to safeguard against crime.

For example he has omitted to detail the type of live and recorded music he intends to play. Quiet, ambient recorded music, or one person and his acoustic guitar is very different to amplified and vibrating beat music, either live or recorded.

The applicant has provided scant and incomplete information about how he will control and prevent the breakout of sound, noise leakage and vibration from all of the openings of his premises.

The applicant states "The main entrance to the premises has an effective lobby to minimise the breakout of noise." However this is not the full picture. I have viewed the building and observed that the building has many other exit and entrance doors (without lobbies) as well as doors and openings to outside terraces. The ground and first floor terraces have full-height, sliding or folding glass doors which would, when open, expose the majority of the internal space to the outside. Additionally the large first floor terrace has a retractable roof from where a great deal of 'breakout of noise' could occur. The rear of the building has a number of vents and what appears to be opening windows. None of these has been mentioned or addressed in the application

The design and features of the building does not afford the containment of sound. (It does not have a contained space such as a basement below ground, which could easily be soundproofed.) The premises has been designed to be open to the external environment. This is typified by the tall folding/sliding glass doors and open terraces bringing the 'outside in' and the 'inside out' as well as providing necessary

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

ventilation during the hot summer months. It has not been designed as closed, noise-insulated nightclub.

It is not clear from the application which properties the applicant considers as "noise neighbouring noise sensitive premises"

He states "Noise or vibration from the premises will be maintained at a level that will not be audible at the facade of any noise neighbouring noise sensitive premises". Would the applicant confirm in the licence he is referring to the residential properties that face and are nearby his premises. It would be reassuring to know these properties specifically include Douglas Avenue, Trefusis Terrace and the neighbouring roads.

The applicant uses the word 'facade' of a premises to denote where noise and vibration should not be heard.

The street facing 'facades' of properties on Trefusis Terrace face the applicant's premises. However, it is the rear, not the front facade, of properties in Douglas Avenue that face the applicant's premises and where noise and vibration would be heard and felt most. The noise level heard at the rear of the properties in Douglas Avenue could be much greater in volume compared with the noise level heard at the front facade. Most of the main bedrooms and living rooms in Douglas Avenue are situated at the rear of the properties and would be vulnerable to disturbance by a breakout of noise from the applicant's premises. For clarity could the applicant remove the word 'Facade' or add 'or Rear' to his application.

The applicant does not state that his premises will operate a zero tolerance to drug taking and dealing. This is of concern.

A license to supply alcohol until 2.00 and refreshments until 1.00 every day of the year, will increase the likelihood of noisy, drunk and disorderly people in the neighbourhood at night-time. The only people looking to purchase food at 1.00 will have likely consumed considerable quantities of alcohol. Extended licensing hours will also encourage already intoxicated patrons from the pubs around Exmouth and beyond to imbibe further alcohol at the applicant's premises. With the best will in the world, the management will have little control over their customers once they have left the premises. Noise from the slamming of car doors, hooting of horns, loud voices and taxis running their motors while waiting for their customers will disturb nearby residents' sleep and the quiet enjoyment of their homes. Night-time noise is totally unacceptable and will cause a public nuisance. The proposed closing time is well after the finish of public transport. The premises is a significant distance away from the town centre, main roads and thoroughfares. This will necessitate patrons to walk home through residential streets, use their own transport or a taxi. The longer the licensing hours into the night, the more opportunity for unruly, drunk and disorderly patrons to become a public nuisance, commit a drunk driving offences and possibly other crimes to persons and property. Ultimately this will result in significant and unnecessary pressure being placed on the already stretched police and NHS services.

The applicant has omitted to detail how he will manage litter resulting from his customers eating and drinking outside on the premises' forecourt and from the outside events space.

The containment, collection and disposal of litter is a major issue on the Exmouth seafront. And Exmouth is notable for its strong winds in all seasons. Anything made of lightweight material will not remain in place for very long! The large outside events area is part of the exposed area of the seafront. Any light "polycarbonate containers" referred to in the application (and presumably disposable food containers as well) will easily get blown around causing litter on the public walkways and beach and pollute the sea. The outdoor events space adjoins the cycle and pedestrian paths and is just a few feet from the beach. The applicant intends to supply wine/champagne in glass bottles at the open events space. For reasons of Health and Safety this is a potential hazard and therefore should be prohibited. Damage to cycle tyres, and injury to dogs, children and pedestrians (many of whom walk barefoot on the footpath) from broken glass is a real possibility.

Despite my many concerns I welcome the opening of Mickey's Bar & Restaurant and Cafe Patisserie Glacerie. Michael Caines is a highly acclaimed and respected chef and restaurateur. I am sure his bar and restaurant will be a successful and a popular choice for those who are looking for a meal or a place to socialise at a beautiful beachside and natural setting.

However, as a nightclub/late-night venue, open until 2.30, and where alcohol is supplied until 2.00 every day of the year, the building and location is totally inappropriate. It was not designed and built as a premises for night entertainment, nor will it work as one.

For the reasons listed above, I suggest regular restaurant licensing hours, serving alcohol until 23.00, playing of live and recorded music until 23.00 and the premises closed by 00.00, for every day of the year. I do not think a Late Night Refreshment Licence should be agreed.

Carol Metcalfe

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Deirdre Alice Norman

Representation Accepted: Representation has been accepted

Reason:

Details:

We are concerned that due to the proximity of Miceys Bar from our home, we will hear noise and music during late opening hours, and be disturbed when trying to sleep. Most of the residents both in our apartment block, and those of either side of us are elderly people. We do not keep late hours and are light sleepers, so are worried that the noise will have a serious impact on our daily lives. We are not against people enjoying music, but would request that the late hours should not be allowed. i.e. Not after 11 pm. There is also bound to be noise and commotion from customers when leaving the premises after drinking. Sound does carry well late at night.

Evidence:

Suggestion:

Shorter opening hours and restricted music licence.

Person making Representation: Irene Warman

Representation Accepted: Representation has been accepted

Reason:

Details:

Good afternoon.

Ref 051731 Maer Beach Ltd

I write in support of Mr Geoff Crawford's objection to the application.

I agree with his comments but I would also add the following points.

The Watersports Centre might well prove to be an asset, the cafe/restaurant also, but it is another matter entirely to suggest for such a location what would effectively be a nightclub.

Noise until 2 a.m. every single day of the week?

When the venue closed at 2.30 a.m. many customers would continue partying on the beach. Until what hour?

The alcohol is to be consumed only on the premises - what will stop people from carrying drinks to the beach? Polycarbonate containers are one thing, but bottles of wine/champagne whose 'disposal... into waste receptacles will not be permitted... between 23.00 and 07.00' will end up as jagged shards of glass.

Noise is one ground for objection, but I would suggest that safety is of even greater concern.

This is a much-visited section of our glorious beach. Who would clear up, before dawn each morning, the inevitable broken glass and other debris?

What scene would await early morning walkers?

One of the great pleasures of our sandy beach, for children and also for many adults, is to run, or amble, along the beach barefoot. One shudders to think of the medical consequences of not treading with extreme caution.

And what of wildlife? Is any consideration being given to the inevitable detrimental effect on their health?

Exmouth is a truly wonderful family resort. Yes, we must move with the times, but would a nightclub really be an asset at a beach like ours?

Yours faithfully,
Irene Warman

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Maureen Willis
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

We object to parts of this licence request because the longer alcohol is available to buy the more likely drunkenness will result leading to cases OF PUBLIC DISORDER, CRIMINALITY,PUBLIC NUISANCE AND PUBLIC SAFETY.

The playing of music should be kept to reasonable limits to avoid PUBLIC NUISANCE.

We request an earlier closing time and limits on music volume.

Exmouth needs to protect its reputation and present tenor as a safe and reputable seaside town.

Maureen Willis and Nils Hornsten.

Evidence:

Suggestion:

Person making Representation: Nils Hornsten
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

We object to parts of this licence request because the longer alcohol is available to buy the more likely drunkenness will result leading to cases OF PUBLIC DISORDER, CRIMINALITY,PUBLIC NUISANCE AND PUBLIC SAFETY.

The playing of music should be kept to reasonable limits to avoid PUBLIC NUISANCE.

We request an earlier closing time and limits on music volume.

Exmouth needs to protect its reputation and present tenor as a safe and reputable seaside town.

Maureen Willis and Nils Hornsten.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Ron Metcalfe

Representation Accepted: Representation has been accepted

Reason:

Details:

Representation on Licensing Application No 051731
Mickey's Beach Bar & Restaurant and Café Patisserie Glacerie, Unit 1 Sideshore, Queens Drive,
Exmouth, EX8 2GD

Ron Metcalfe

Like many others, I welcome the opening of Michael Caines premises and look forward to enjoying the restaurant and glacerie facilities.

This representation is not against the licensing of this premises. I would like to see changes in the application to address concerns I will outline below. There needs to be a variation in the currently requested licensing hours, exclusion of one activity and further conditions put in place in order to ensure the licensing objectives are carried out.

Currently, the applicants are seeking to open their premises at Sideshore every day of the week, Monday to Saturday from 7am to 2:30 am (that is 365 days of the year) with

" Live music indoors from noon till 11 pm any night of the week

" Recorded music 7 am till 2 am in the morning any night of the week

" Alcohol being sold indoors from 11 am till 2 am in the morning and outdoors till 11 pm any night of the week

" Late Night Refreshments from 11 pm till 1 am

Other nearby establishments operate with limited hours during the week, shorter licensing hours and earlier closing times.

Granting this application unfettered presents the potential for unintended consequences for the seafront, Maer Nature Reserve, neighbouring communities, police, ambulance services, the NHS and even CoastWatch.

It would also grant this venue licensing hours (with Late Night Refreshments) that are more in keeping with a nightclub than a restaurant and bar. This is not what has previously been planned, or agreed, for this site.

It would change the context of this beachfront area into a late-night destination, no doubt attracting late night revellers from other pubs in town after closing time as well as visitors to Exmouth from other areas.

Setting a precedence with these late-night hours, 365 days of the year, could stimulate other applications to 'liven up' their establishments along the area of the seafront. Such changes to the seafront landscape /streetscene should be discussed, planned and supported not just happen piecemeal.

Car enthusiasts (so called 'boy racers'), already a regular nuisance to many Exmouth residents and a challenge to scarce police resources, would have an attractive venue for late night refreshments and gatherings. This could make Exmouth seafront an even more popular spot for enthusiasts from further afield, causing more and even later, night noise along Queens Drive, Esplanade and on Carlton Hill as well as other roads near the seafront. With increased use by car enthusiasts comes the risk of crime and disorder as well as noise nuisance.

With extended drinking hours and alcohol being served outdoors there is an increased likelihood of rowdy behaviour and potential public disorder on the promenade and beach areas, with more drinking and littering on the beach and risky 'midnight swims'.

The applicant's proposal to serve wine/champagne in glass bottles outdoors poses a public health and environmental risk of broken glass around the promenade area as well as the beach. The Licensing committee would be right in refusing the use of glass outdoors in this area for environmental as well as public safety reasons.

There are no details in the application for patrolling / monitoring of the surrounding area to oversee behaviour and littering. Nor are there details of any facilities for patrons to dispose of the proposed polycarbonate beverage glasses. If these are not disposed of properly for recycling, they severely affect marine life when dumped into the ocean.

There is no clear and explicit statement of zero-tolerance of drugs on the premises.

Noisy customers on foot to and from Mickey's after pub closing time or leaving at 2:30 am could also be a nuisance on many nearby roads and streets. The application does not propose any "Customers Departing" measures to ensure patrons are not noisy, not disturbing neighbourhoods on home journeys, using taxis that won't sound horns on collection of customers, etc.

Extended opening hours, Late Night Refreshments and popularity of a late-night hotspot, could increase nuisance behaviour from noisy to rowdy on neighbouring streets, and increase the potential necessity for interventions from police or even ambulance services and NHS.

It's hard to see how noise leakage won't be a problem from this venue without clearer and stricter conditions put in place. The application states "Noise or vibration from the premises will be maintained at a level that will not be audible at the facade of any noise neighbouring noise sensitive premises". The use of

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

the word "vibration" suggests an intention to play loud 'beat' music late into the night after the dining service, rather than quiet background restaurant music.

Does their statement mean that no sounds at all will be heard by any of the properties overlooking the seafront along the Beacon, Louisa Terrace, Trefusis Terrace and Douglas Avenue, or the properties in nearby streets behind them? Nothing in the application indicates how this could be achieved.

The statement "The main entrance to the premises has an effective lobby to minimise the breakout of noise" is a very small mitigation in a building that has multiple exits, numerous ventilation outlets, a smaller open terrace, a retractable canopy roof over a large outside terrace, and an outdoor sitting area on the ground floor. There are no references to noise management or control of sound leakage from or between these areas, in a building that was designed with an abundance of openable glazing to maximise sea views, but only ever built to be an open-style café restaurant.

Of particular concern is the outdoor events area. At the planning stage, this area was agreed as a space available to the community for public events. The proposed outdoor sale of alcohol 13 hours daily, till 11 pm every day of the year, changes this to a 'beer garden' type of venue 'owned' by Micky's Bar. It also presents noise and behaviour management issues. A one-off events license with shorter alcohol hours when needed would be more appropriate than this 'carte-blanc' request.

While we all hope that none of these points becomes an issue and that Micky's will not become "that kind of a place", all these possibilities need to be considered at this application stage by the Licensing Committee.

The applicants should be required to put forward a detailed Noise Management plan developed by a professional acoustician or specialist noise consultant with clear controls on noise breakout from the venue, including sound limiting devices for live and recorded music. This plan should address noise leakage in all areas of the premises, the multiple exits, numerous ventilation outlets, smaller open terrace, large outside terrace with retractable canopy roof, and outdoor sitting area on the ground floor. It should also address noise management for all the proposed types of music in each area.

The applicants should outline a thorough 'Departing Customers' plan and reasonable plans for monitoring their patrons use of outdoor areas around the premises, including promenade, beachfront and the nearby Maer.

The applicants should put forward a clear and explicit statement of zero-tolerance of drugs on the premises.

I would like to see the Committee vary, that is shorten, the licensing hours for
" Live music indoors from noon till 11 pm any Thursday to Saturday
" Recorded music 7 am till 11 pm any night of the week
" Alcohol being sold indoors from 11 am till 11 pm Sunday to Wednesday, till midnight Thursday to Saturday,
" Alcohol being sold outdoors till 11 pm Thursday to Saturday only
All subject to clearer and explicit conditions; premises closing times an hour thereafter.

I would also like to see the Committee exclude the licensing of Late Night Refreshments. I believe such a license would prove problematic for the area and for the town generally. Licenses for special events should be applied for at the relevant times, as other establishments do.

I would like to see the Committee specify explicit conditions to ensure there are guardrails to address the issues outlined above to prevent any public nuisance, crime and disorder happening, as well as ensuring public safety.

I reiterate that I am looking forward to having a Michael Caines establishment on our seafront. Like many others in our town, I believe nightclubs and late-night destinations should not be idiosyncratically allowed where planning agreement has only been made for a Café and Café Restaurant.

Thank you
Ron Metcalfe

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Kevin Brown
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

I am writing to express concerns about the proposed application for extended licensing hours for the above bar. I am concerned that this is likely to cause noise and potential antisocial behaviour as a result of extended drinking, which could impact in the following ways:

- to attract large numbers of people who could drink excessively causing problems on the premises
- people leaving the bar and walking on to the beach or into the town causing antisocial behaviour and increased noise levels as illustrated by difficulties during the first lockdown on the beach. This would have an impact on policing and other emergency services.
- potentially disinhibited behaviour on the beach, particularly in the summer months, which might lead to dangers associated with the water, with increased emergency response from coastguard and RNLI.
- risks from people inebriated crossing the cycle path in front of the premises, and the impact on the many young families who use the promenade and beach during the day and well in to the evenings over the summer.
- there is already frequent use of this area by people in modified cars to socialise and speed up and down the seafront during the evenings, and this, combined with the excessive drinking that arises from long licensing hours, could have potentially fatal consequences.

The risks associated with this application would be reduced if The opening hours were along the lines of normal pub opening hours, not extended into the early hours.
This application does not seem in keeping with the family atmosphere that Exmouth is promoting to attract holiday trade.

Sincerely
Kevin Brown

Evidence:

Suggestion:

Person making Representation: Len Worsfold
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Madam/Sir

I wish to raise an objection as to the times of this application on the grounds it allows noise to go on past a reasonable time of 11.00 (22.00).

The times suggested would mean the public not being able to get enough sleep when the Bar closes as, inevitably, noise will arise from the departure of its clients.

I would also suggest limiting the noise from this site to a reasonable set figure at any time day or night.

Yours,
Len Worsfold

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Ann Smith
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

I wish to object to the range of licensing powers applied for in respect of Mickey's Beach Bar and Restaurant and Cafe Patisserie Glacerie:

1. Opening hours for these establishments amount to over 19 hours daily, 7 days per week
2. Live music daily till 11pm and recorded music 7am till 2am : this would cause unacceptable noise levels and would be very intrusive after 11pm
3. Alcohol availability from 11am daily, especially until 2am

The last 2 points would almost certainly result in large numbers of people congregating. This is not the development Exmouth was hoping for, namely an upmarket restaurant and availability of tea, coffee and light refreshments.

Yours faithfully,
Mrs Ann Smith

Evidence:

Suggestion:

Person making Representation: Daphne Barnes-Phillips
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Councillors

Re: Premises Licence Application 051731

Mickey's Beach Bar and Restaurant, Queens Drive, Exmouth

We were concerned when we saw this application for long opening hours, the provision of live music and recorded music and the late-night supply of alcohol. It is clear from the application that Maer Beach Ltd. intends to use the lengthy hours every night. This is contrary to the existing licenses granted to the nearby Ocean and Pavilion premises and will have a major impact on these established businesses.

The application states that:

Premises Open Hours requested is Monday to Sunday 07:00 to 02:30.

Activities - Times requested for Performance of live music (Indoors) Monday to Sunday 12:00 to 23:00

Playing of recorded music (Indoors) Monday to Sunday 07:00 to 02:00

Late night refreshment (Indoors) Monday to Sunday 23:00 to 01:00

Supply of alcohol for consumption ON the premises only Monday to Sunday 11:00 to 02:00

Monday to Sunday Outside event space 11:00 to 23:00.

This is Exmouth not Brighton or Blackpool. Such extreme opening times are totally unacceptable! The applicant states above that three requests are for Indoors only. Can you honestly tell us that on a hot summer night the windows will remain closed and that the customers will be barred from using the outside space?

This is an application for a new license for a venue that has no track record. The applicant should be given a very limited license initially so that the premises can be monitored to see what impact the business has on the immediate area and adjacent residential locality. Maer Beach Ltd. should not be granted such a wide remit for a first application until they can prove that they are able to run the venue without causing upset to those of us living close to it.

Yours faithfully

Daphne & Jim Barnes-Phillips

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Jim Barnes-Phillips

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Councillors

Re: Premises Licence Application 051731

Mickey's Beach Bar and Restaurant, Queens Drive, Exmouth

We were concerned when we saw this application for long opening hours, the provision of live music and recorded music and the late-night supply of alcohol. It is clear from the application that Maer Beach Ltd. intends to use the lengthy hours every night. This is contrary to the existing licenses granted to the nearby Ocean and Pavilion premises and will have a major impact on these established businesses.

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Yours faithfully

Daphne & Jim Barnes-Phillips

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Robert John Soutter

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Councillors

I have read with disbelief the application concerning these premises. It seems to bear no relation to the original purpose of the building.

My interpretation of the original planning application was that it was for a watersports centre, plus a restaurant and café. Whilst there may be a retail unit relating to watersports, there is no evidence of any other watersports. Neither has a stepped and ramped access to the beach appeared.

Instead we have an application for licences for some sort of late night drinking venue/club. That hardly fits in with the family market, which was one of the intentions.

I would therefore object on the following grounds:

1. Unsuitability of the venue for such activities: it was not built for this purpose.
2. Location of venue -
 - a) too close to the sea - with all its inherent risks for those whose inhibitions are lowered because of the amount of alcohol consumed.
 - b) too close to a large car park, which, as the venue is away from other parts of the town, could lead to more drink driving.
3. Particularly with the outdoor service areas, there will be noise pollution affecting Roswell Court, Trefussis Terrace and East and West Checkstone. Recorded music blaring up until 2am, 7 days a week is just over the top.
4. The risk of even more anti-social behaviour in that area, particularly in the evenings and nights.

It is a great shame that a project such as this will be ruined if the applications are granted.

Yours faithfully

Robert J Soutter FCIB

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Elizabeth Evans

Representation Accepted: Representation has been accepted

Reason:

Details:

Application 051731
Mickey's Beach Bar & Restaurant & Cafe Patisserie Glacerie

Representation from:

Elizabeth Evans

I would like to register a concern about the above license applied for by Maer Beach Limited

This is a residential area. Granting a license for over fifteen hours drinking a day will without a doubt cause a huge amount of noise during the evenings and especially at closing time. Already in the summer months we have large groups on the Maer drinking and singing often after midnight. Cars are raced along the seafront too. Whilst I understand that the facility needs to be able to sell alcohol and provide music I feel that an 11pm end time seems more fair to the LOCALS who live here.

When the plans were submitted for Shoreside nowhere did anyone mention these excessive licensing hours. In fact Sideshore bears no resemblance to what we were promised.

Hopefully East Devon will consider the impact the applied for hours will have on people who have made their homes here and turn down the application - and it can be resubmitted for more reasonable hours.

E Evans

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Anne-Marie Kelly

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear East Devon District Council

I would like to oppose the above open application as a resident at Elford, 6 Douglas Avenue and support the objections already submitted by several of my neighbours here at Elford and other nearby properties. I was shocked to hear of this application only today and sincerely hope that it is not approved as it would cause significant disturbance. The main issues would be:

" Noise disturbance to surrounding residential property, both from the music and loud voices of the revellers, who would mostly be under the influence of alcohol.

" Noise disturbance caused by increased traffic heading to and from the venue, bringing even more 'boy racers' and revving engines along the seafront.

" Noise disturbance from drunken revellers in the vicinity after leaving the premises, potentially way past the proposed 2.30am closure time.

" Potential noise disturbance from broken wine/champagne bottles in the outside event area and the danger of broken glass on the esplanade.

" Customers visiting the Beach Bar late in the evening to purchase food will generally be young people coming from other venues in the town where they have already been consuming alcohol and therefore likely to be in high spirits, talking loudly etc.

" Regarding "Noise or vibration from the premises will be maintained at a level that will not be audible at the facade of any noise neighbouring noise sensitive premises", the rear of Elford (and most likely other nearby properties) which faces the sea, is where our living rooms and main bedrooms are, so especially with windows open in the evening, the noise will certainly be audible!

" Noise and light disturbance to wildlife on the adjacent Maer.

If a compromise had to be reached, a cut-off time of 11pm would at least be more acceptable than the proposed 2.30am. For example, I believe the Beach Pub on the Marina has to end its weekly karaoke night by 11pm due to its proximity to residential property. Just because Mickey's Beach Bar is not directly adjacent to residential property does not mean that loud music, loud voices and additional late night traffic and revving engines will not be heard up on Douglas Avenue, Trefusis Terrace etc as sound travels and we are already disturbed by the 'boy racers' up and down Queen's Drive late at night!

The application description really sounds more like a nightclub than a bar and a seafront nightclub is the last thing that Exmouth needs! Please don't allow Exmouth to deteriorate into another 'Torquay' (recently voted the 9th worst place to live in the UK!). There is also no mention of a zero tolerance drugs policy in the application - we know that drugs are a common element of the UK nightclub scene now and again, would bring further noise/behavioural disturbance to our beautiful seafront.

I hope that my comments, along with those of other neighbours in the vicinity, will be given serious consideration.

Kind regards
Anne-Marie Kelly

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Daphne Currier

Representation Accepted: Representation has been accepted

Reason:

Details:

From Mrs D Currier

Premises open hours requested time from time to
Money to Sun 7am. to 2.30 a.m.

Dear Sirs,

This is a representation regarding concerns relating to the proposals in application 051731.

I begin by listing the times of proposed activities so that I can reference them specifically. My comments are below.

Activities

E Live music indoors Mon to Sun 12 noon to 23.00 (11 p.m.)

F Playing of recorded music indoors
Mon to Sun 7a.m. to 2.a.m.

I Late night refreshment (indoors)
Mon to Sun 7a.m. to 2.30 a.m

J Supply of alcohol for consumption ON the premises only
Mon to Sat 11 a.m. to 2 a.m.

Mon to Sun Outside event space
11 a.m. to 11 p.m.

*General comment. Taken together , these proposals represent an enormous amount if activity, light, noise, fuel exhaust and smell in an area previously just a daytime car and coach park, next to the Maer nature reserve.

Recent studies have shown that vulnerable animal (including fish) species are affected within 200 metres of any road or busy building. Can this damage to the environment be mitigated when it does not even figure in the licensing objectives ? Last night at 7 p.m.I walked on the Maer. Not a single rabbit. Not one. There were plenty a couple of years ago. No sand lizards that I used to watch as a child. Very worrying.

Prevention of crime and disorder.

Prevention of Public nuisance.

It seems that the provision made in the application is thorough ,however, it is people leaving the site who are I kely to be causing a disturbance.The application is for possibly hundreds of people, most of whom will require transport home.

Items F, I and J above, with activities until 2 or 2.30 a.m. will inevitably result in disturbance. Anyone who has lived down the road from a pub will know about urinating in the street, fighting, shouting, swearing, arguments and car doors banging with shouts of 'Goodnight'.

Also unexpected items (condoms) chucked over the garden wall, vomit, cars scraped by careless driving and the rest. Ask any police officer for a complete list of poor behaviour.

For the above reasons, I would propose that all the permissions stop at 11 a.m., which leaves a half hour to clear the premises and get everyone safely home.

Promotion of public safety.

The premises are adjacent to the beach at the most dangerous part of the sea. It is a non-swimming area with a deep and fast moving channel. Anyone doing what we used to do- going for a midnight swim after a party- is likely to be swept away ,in the dark, within minutes they could be out in the middle of the channel off Orcombe Point with nobody able to see them or find them .

It was o.k. for us as youngsters raised locally because we knew where it was safe and would never go there. In the dark, visitors will not see the danger flags, no guards will be available at 2 a.m. to notice someone slip into the waves. Alcohol plays a big part on drowning incidents. This is an accident waiting to happen.

Again, a good reason to stop at 11 p.m.

Sent Monday March 22 by
Mrs. Daphne J. Currier.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Richard Lewis

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir,

>> I write in objection to the application ref 051732.

>> Firstly, I wish to point out that the applicant has applied stating that the venue subject to this application is in Exmouth Town Ward. This is incorrect. The venue is in Exmouth Littleham Ward.

>> My objections include the following:-

>> - The suggested opening hours from 07.00 until 02.30 are not in keeping with any other similar restaurant business in Exmouth. To grant the application in its existing form would undoubtedly encourage late night drunken behaviour with its associated public disorder from people who will have had access to alcohol for 15 hours on every day of the year on these premises.

>> - This application would allow the potential to have music of undetermined levels playing until 2am on every night of the year. The building in question is adjacent to a residential area and the potential for public nuisance is very real. The noise mitigation suggested would not eliminate this nuisance. I request a reduction in the available days and late night hours on this application to reflect the licences available in similar restaurants in Exmouth.

>> - The applicant has requested for these premises to supply alcohol in the outside event space until 23.00 on 365 days of the year. I would like to see the event space being available only by specific application to Licensing for each event to mitigate the public nuisance to the residential area nearby.

>> - The increase in glass bottles being taken onto the adjacent beach from the outside event space would increase the probability of broken glass being a hazard for children playing on this public beach.

>> - This proposed application is for premises directly adjacent to a beachside area where the river Exe flows into the sea creating a life threatening environment. Entering the sea in this particular area is forbidden due to strong currents and rip tides, but inebriation often creates the sense of infallibility and the excessive hours for the sale of alcohol being requested in this application could easily encourage drunk and disorderly behaviour which in this particular environment could involve a fatal drunken dip in the sea. Public safety is at risk in this environment.

>> - The potential for increase in crime and disorder associated with alcohol consumption for such lengths of time every day is very real in this situation. Policing is already stretched and to add to the burden in an area a mile away from town needs consideration.

>>

>> R. E. Lewis

>> 20th March 2021.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Wanda Marshall

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir/Madam,

My husband and I are owners of [REDACTED]

Although on the whole we welcome the developments currently in progress, we wish to make a representation against some of the items listed in the licensing application 051731 re Mickey's Beach Bar.

Music until 2am will be a public nuisance, disturbing residents in Trefusis Terrace and in other neighbouring residences and streets.

The supply of alcohol for such a long span of hours in the outside event space will also fuel noise and probable disturbance which will again affect the above residents.

The supply of alcohol for such a long span of hours ON the premises will inevitably result in noise, rowdiness, and disturbance of the peace.

We would like you to take our objections into account while considering the application by Maer Beach Ltd.

Yours sincerely,
Wanda Marshall

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: EXMOUTH TOWN COUNCIL PLANNING COMMITTEE

Representation Accepted: Representation has been accepted

Reason:

Details:

The Exmouth Planning Committee OBJECTS to the above new premises license application on the grounds of prevention of public nuisance.

It was felt that the opening hours should be the same as Ocean (hours below) in order to protect the nearby residential amenity.

Sunday to Wednesday the opening hours are 09.00 - 00.30am with live music (indoors) 9.00 - 00.00
Thursday to Saturday the opening hours are 09.00 - 1.30am with live music (indoors) 9.00 - 1.00am

Kind Regards
Rons Boatman
Planning Administrator/Tourism Officer

Dear Licensing,

The Exmouth Planning Committee discussed the new premises licence application and wish to comments as follows:

Members were concerned about noise pollution in terms of public nuisance for the residential amenity. It was felt that the premises opening hours until 2:30am, Monday to Sunday appeared to be excessive when compared to other premises in the area. Concern was also raised over crime and disorder and public safety given the close proximity of the premises to the beach. Members questioned if this had been factored in when considering the door security provision. Member acknowledged that they did not have the level of detail regarding the applicant's intended use of the premises.

Kind Regards
Rons Boatman
Planning Administrator/Tourism Officer

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Tim Todd

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Committee members,

I will attempt to minimise the reading that my OBJECTIONS could take up by using bullet points - or you can have my 896 word fuller version if you wish where I explain worse scenario in more detail- with reasons and evidence.

" OBJECT to applications to 23:00 hrs
" Fiercely OBJECT to applications to 02:00 hrs
" Social media suggests support- but largely from me, me,me crowd only thinking of themselves. Committee should think of wider implications below.
" Consider impact on police. Get an officer before you and get the full picture. Impact on police will likely be considerable.
" Consider the impact on local and wider NHS. Alcohol related patients are a massive impact on all elements of NHS - the scale would shock most of you.Mickey's will add to it.
" Consider what a precedent this will set-when this is premier night spot for south Devon! All manner of applications will follow- kebab anyone? Litter by people and gulls.
" Impact on wildlife, breeding birds- May affect the SSSI- I am still awaiting confirmation from local respected experts.
" Seems like a nice chap applying-it won't be too bad! Really! Only thing guaranteed are written restrictions in any licence. Why did applicant not mention this ambition way back?
" Given public ownership of land, and cost to taxpayer, is the extension of use to a nightclub really an appropriate and fair use of public land and finances etc?
" Applicant offers various controls- well they would all have been a requirement of a licence anyway so don't interpret necessarily as a sign of good faith etc.. Don't wish for good behaviour, impose waterproof written conditions if inclined to grant.
" Genuinely serious chance of deaths. Who will guarantee to stop any inebriated client, and there will be some, going for a dip in the most dangerous part of estuary? Nobody can, certainly not the licensed bouncers. A very real issue putting others at risk for rescue.
" Lord Clinton's Covenant with the town would have stopped this dead, not too late to respect the original intention of protecting the area from inappropriate development but instead for peaceful enjoyment.
Thank you

T Todd

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Gordon Hodgson
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sir/Madam

In general the opening hours until 2.30 am 7 days a week is excessive and unnecessary.

In addition to consumption of alcohol near a dangerous section of beach until the early hours the applicant seeks to serve late night refreshments. This is intended to draw late night visitors who are likely to have been drinking elsewhere increasing the risks of trouble arising and to safety issues around the premises and nearby.

There is already an issue in Exmouth and on the seafront area generally with speeding and noisy cars late at night and this application would very likely increase this risk. The capacity of the police to be effective in this area is limited.

A licence in line with pub hours would be more acceptable with extensions requested for special events.

My concerns are in respect of the need to prevent crime and disorder, promotion of public safety (both on the roads and proximity to the sea), and preventing public nuisance.

Signed

Gordon Hodgson

Evidence:

Suggestion:

Person making Representation: Connie T Horn
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear EDDC,

Re: Premises Licence Application 051731 - Mickey's Beach Bar and Restaurant, Queens Drive, Exmouth
I strongly object to the above application.

The people of Exmouth were promised a world class watersports centre and what we have got is a restaurant/bar, shop and fast food outlets. Allowing late night entertainment and alcohol consumption will turn this into a late night drinking venue and night club with the associated crime and disorder.

The close proximity to a dangerous stretch of coastline means that accidents to people who have been drinking is inevitable.

The late night noise will also cause a public nuisance to the residents on Douglas Avenue as the prevailing winds will carry sound in that direction.

I feel the licence should be limited to 11pm and only on certain nights of the week.

Regards.

Mrs C.T. Horn

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: The Avenues Residents Association

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Sirs

Please find attached a letter of objection to the above application.

This objection is lodged on behalf of The Avenues Residents Association (TARA) in Exmouth Littleham Ward.

Yours sincerely,

Simon Davidson

Chair, The Avenues Residents Association (TARA)

LETTER OF OBJECTION ON BEHALF OF THE AVENUES RESIDENTS ASSOCIATION (TARA),
EXMOUTH, 19th MARCH 2021

Re: Premises Licence Application 051731

Mickey's Beach Bar and Restaurant, Queens Drive, Exmouth

We were concerned when we saw this application for long opening hours, the provision of live music and recorded music and the late night supply of refreshment and alcohol. It is not clear from the application whether the applicant intends to use the lengthy hours every night or for special events.

We would like to object for the following reasons:

This development was originally conceived as a family area. In the Decision Notice the development was for:

Construction of new water sports centre including various facilities for water sports users, a cafe, restaurant and retail plus car parking and open space together with associated infrastructure including new stepped and ramped access to the beach and landscaping.

What has actually been built is a restaurant/bar with fast food outlets and very limited public water sports facilities. Allowing late night alcohol and music licences would allow this to additionally be run as a late night drinking venue and night club.

Prevention of crime and disorder:

At present there is no CCTV coverage on that part of the sea front for monitoring crime and anti social behaviour caused by the late night consumption of alcohol.

Promotion of public safety:

There is a significant and unavoidable health and safety risk for people who leave the venue and then decide to enter the sea. Late night alcohol and the sea do not mix and the venue is not adjacent to the 'safe bathing' area. As is well known, the currents just off-shore are very strong and it seems inevitable that accidents will occur possibly resulting in serious injury or even death. The emergency services would then have to attend to resolve the situation late at night.

Prevention of public nuisance:

1. The venue was not designed or built as a venue for loud music whether live or not so insulation standards are likely to be poor. This should be assessed before any final decision is made. Both The Ocean and the Pavilion are purpose built and easily able to contain noise within their premises. Noise from this venue, which has an outdoor service area, will adversely affect neighbours in Trefussis Terrace, East and West Checkstone and Roswell Court, the latter being for retired residents. As noise seems to travel more at night, other areas of the Avenues, further away from the immediate area will also be affected.

2. There is an on-going issue with anti-social behaviour along the Esplanade and Queens Drive particularly during the period from April to October and on any night of the week. This mostly takes the form of 'boy racers' whether in cars or on motor bikes. As is apparent to anyone living in the general area, this sound carries a long way at night and is further spread along connecting roads as people arrive and depart. Neither the police, EDDC or the Town Council have been able to control this. Approval of a further source of late night alcohol provision will only exacerbate matters and reduce the confidence of the public in their local councillors' ability to address their legitimate concerns.

3. It is clear from anyone's experience that people who have consumed alcohol have lower social inhibitions (hence the Covid restrictions on pubs and bars). As a result, rowdy behaviour leaving a late night bar is inevitable. Given that patrons will leave mainly on foot and have to make their way through residential areas the potential for unacceptable behaviour is obvious and only preventable by a heavy police presence. This resource is not available. There is no public transport in this area this late in the evening so the number of cars/taxis will add to both pollution and noise nuisance as customers leave the area late at night.

It appears that the Applicant is not taking any responsibility, or suggesting any actions, to mitigate any of the above and they should be required to do so before any decision is made.

It is not clear that the number of covers proposed for the period after food service ends can be safely and realistically contained within the building. This needs evaluation. In any event it should be clearly stipulated that music and drinking on the external and balconied areas of the property should not be permitted after 11pm.

A seven day/52 week application for late opening is unwarranted. It should be restricted to fewer nights per week and probably further restricted between October and April. The nearby Ocean and Pavilion do not have such late licensing.

Yours sincerely

Simon Davidson, Chair of The Avenues Residents Association

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Evidence:

Suggestion:

Person making Representation: Olly Davey
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

As an Exmouth resident and councillor for the neighbouring ward, I have no overall objection to this application, except for the lateness of the proposed hours. I feel that 2.30am is much too late for a premises in this location, and I would prefer 1am at the latest. The same applies to the playing of recorded music, which in the summer months is likely to be audible over a considerable distance and I would prefer to see this restricted to midnight.

Given the instances of anti-social behaviour that we saw over the summer months last year, I feel this would place further stress on police resources, and add a night-club style venue to an area well away from the town centre where most of these are situated. My understanding was that this was a Watersports Centre, not an entertainment venue, yet so far I have seen little evidence of the former and a great deal of the latter. I appreciate that those visiting for watersports may also wish to have entertainment on hand, but 1pm is still quite late enough.

The committee may wish to consider whether given the proximity of water to this location, possibly encouraging reckless late-night swimming, and other anti-social behaviour potential, whether a late evening licence is appropriate at all.

I do object to the current terms of the application, though I would be minded to accept earlier closure times.

Olly Davey
Councillor Olly Davey,
Town and District Councillor for Exmouth Town Ward

Evidence:

Suggestion:

Person making Representation: Angela Broadberry
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

March 19th 2021

Dear Sir/Madam

Ref: Licence application No 051731

I object to the application for a licence for Mickey's Beach Bar and Restaurant to be open to 02:30am by Maer Beach Ltd on the grounds of causing public nuisance.

Opening hours to 02:30am, Monday to Sunday, will result in traffic noise through residential areas in the early hours as guests arrive at and depart from the premises.

Music, recorded or live, Monday to Sunday, can also cause disturbance into the early hours.

Alcohol consumption has the potential to result in inebriation, rowdiness and disturbance - all an extra concern for local residents wishing to have, and entitled to, an undisturbed night's sleep.

Yours sincerely

Angela Broadberry
(Mrs Angela Broadberry)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: R L Ward

Representation Accepted: Representation has been accepted

Reason:

Details:

March 16 2021
Licensing East Devon
District Council
Blackdown House
Honiton EX14 1EJ

Re: Licensing Extension Mickeys Beach Bar Ref: 051731

Dear Ms
As a rate payer over looking "Sideshore" Queens Drive I object strongly to the extension of licensing hours on the grounds of:
The Prevention of Public Nuisance, Noise
Prevention of Crime and Disorder
Promotion of Public Safety

Yours sincerely

R L Ward

Evidence:

Suggestion:

Person making Representation: Margaret Stoddart

Representation Accepted: Representation has been accepted

Reason:

Details:

18th March 2021
Dear Sir,

I am writing to object to Licensing application 051731 Mickeys Beach Bar Restaurant and Café Patisserie. I object on the following grounds:-
-This application is for late night music until 2am on every day of the year. The resultant noise nuisance to the public would be inappropriate in this residential neighbourhood and if the application is successful it should include a clause to significantly reduce late night noise.
-This application is for the sake of alcohol until 2:30am on every day of the year. This is also inappropriate in this residential setting as the resulting multiple disturbance caused by inebriation into the early hours would be a public nuisance.
The normal licensing hours for restaurants in Exmouth end between 10pm and 11pm. I would strongly suggest that the house for this application are in line with other similar restaurants in the area.

Yours faithfully
Margaret Stoddart. (Mrs)

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Environmental Health Officer

Representation Accepted: Representation has been accepted

Reason:

Details:

Premises: Micekys Beach Bar & Restaurant and Cafe Patisserie Glacerie

Subject: Premises licence application

I have considered the proposal and the associated plans. At present I do not feel that there are adequate safeguards in place to prevent public nuisance so accordingly I would like to make a REPRESENTATION.

I am therefore proposing that additional measures are put in place to promote the prevention of public nuisance from this premises. The necessity of these measures are required due to a range of factors including: the addition of an outdoor events area, the location of the premises and the hours which the premises are operating.

Our aim is to ensure that the music noise level from the premises should not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 11pm.

In order to achieve this the following condition is recommended:

Between 07.00hrs - 23.00hrs, the noise climate of the surrounding area must be protected such that the A-weighted equivalent continuous noise level (LAeq) from music noise level emanating from the application site, as measured at monitoring points over any 15 minute period with entertainment taking place, must not increase by more than +5 dB at the agreed monitoring points when compared against the agreed comparable LAeq 15min, with no entertainment taking place.

Between 23.00hrs - 02.00hrs, the noise climate of the surrounding area must be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured at monitoring points over any 15 minute period with entertainment taking place, must not increase at the agreed monitoring points when compared against the agreed comparable LAeq 15min, with no entertainment taking place.

Between 23.00hrs - 07.00hrs The unweighted (i.e. linear) equivalent noise level (LZeq) in the 63Hz - 125 Hz 1/1-Octave bands, measured using the "fast" time constant, inside any noise sensitive premises, with the windows open or closed, over any 15 minute period with entertainment taking place, must not increase when compared against the agreed comparable LAeq 15min, with no entertainment taking place.

To comply with these conditions we would expect a noise consultant to be appointed to determine the existing LAeq 15 minutes at the pre-agreed location with no noise entertainment taking place. We would require a copy of the monitoring results for approval prior the first use of the premises.

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Michael Tross
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Dear Licensing Committee,

As residents of a property on Trefusis Terrace, we have some concerns about certain aspects of the application # 051731. We should first make clear that we welcome the arrival of the restaurant and cafe which we believe is a positive addition to the Exmouth seafront. However, its quite isolated location - surrounded by nothing but empty beach and sea on one side and the Maer - an empty grass expanse - on the other, give rise to concerns as a result of the proposed late hours of operation.

The application proposes that alcohol be available for sale and consumption on the premises 7 days a week from 11am to 2:00 am, for sale and consumption outside the event space until 11 pm and 'Late night refreshment indoors' from 11 pm - 1 am. There is no need of a crystal ball to confidently predict that drunk, sometimes violent and extremely loud and disturbing behaviour will become the nightly norm on the beach, in the Maer and in Gun Cliff Gardens. The latter was already the site of regular obnoxious and violent disturbances last summer and early autumn. We believe that the proposed extended hours of alcohol sales are a guaranteed recipe for increased crime and disorder, significant public safety concerns and overt public nuisance. Our police force is already stretched thin and does not have the resources to respond multiple times per evening to those who are violent, drunk and aggressive. We propose that the hours permitted for alcohol consumption be cut back so that they finish at 11 pm, Monday to Sunday and that alcohol sold for consumption outside the event space stop at 9 pm.

We also have concerns about the performance of recorded music indoors 7 days a week until 2am. The establishment has installed a retractable glass canopy around their outdoor terrace and it is clear that when this is retracted, the sound of music will easily travel with the onshore wind the few hundred feet over the Maer to the residences along Trefusis Terrace and Douglas Avenue. This will be extremely disturbing for residents in the area who need to sleep. Many of the residents are elderly, many work from home or have to be up early for work elsewhere. Their sleep is important. We propose that the playing of recorded music indoors finish at 11 pm on weekdays. We propose that the playing of recorded music finish at midnight on weekends if the retractable canopy is closed at 10 pm. We also propose that the decibel level of the music after 9 pm be significantly restricted if the canopy is open.

Finally, we propose that any approval of this application in regards to the above points be made on a probationary basis - such that the hours of alcohol sale and consumption and playing of music be reviewed by the Council in 6 months.

Thank you for your attention to this matter.

Regards,

Michael Tross

Evidence:

Suggestion:

Person making Representation: John Benson
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

We would object to the application for 2am music and alcohol license as detailed below. We consider it inappropriate to allow a 2am licence to a venue outside of town centre and located in an area of outstanding natural beauty.

The additional traffic generated at this late hour and the potential for anti social behaviour off premises in an area close to care homes, retirement homes and generally a very very quiet neighbourhood is unacceptable and not with keeping for this specific location. In addition to the above, the application states 'indoors' but the design of this building has a 30% first floor open area which is classed as semi indoor / outdoor

Evidence:

Suggestion:

Application No: 051731

Premises: Mickey's Beach Bar & Restaurant and Cafe Patisserie Glacerie
Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

Person making Representation: Domini Barrett
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

I wish to object to the application of Mickey's Beach Bar to open from 0700hrs - 0230hrs, seven days a week. During this time permission for various activities have been sought including to play recorded music and sell alcohol every day of the year until 0200hrs.

Such activities will have a significant impact on the local neighbourhood including a significant number of private properties and hotels. Noise levels are likely to cause significant nuisance and distress to all, but especially young children seeking rest and sleep. Those arriving at the venue and leaving it, having consumed alcohol are highly likely to promote disorderly behaviour, which may in turn lead to an increase in crime.

I understand the need for bars and entertainment venues in Exmouth - my dismay at this application rests in the hours of opening requested over seven days a week, every day of the year. Opening into the early hours of the morning is an imposition on the rights of all to enjoy quietness during a commonly acceptable time of rest.

Evidence:

Suggestion:

Person making Representation: Exmouth Community Association
[REDACTED]

Representation Accepted: Representation has been accepted

Reason:

Details:

Exmouth Community Association wishes to comment on the above Premises Licence Application for extended opening hours, the provision of live music and recorded music and the late-night supply of refreshment and alcohol.

The application implies that the facility could become a late-night drinking bar / night club and it is not clear whether the applicant intends to use the lengthy hours every night or for special events. This is not what was expected by many when the original planning application was approved. If extended hours are now being sought we would not have expected them to exceed those already established for Ocean.

Sideshore is located in an area close to tranquil residential area and the Maer Nature Reserve. It is possible that frequent extended late-night opening could prove detrimental to the area. We welcome, therefore the conditions offered in Annex 2. However, regarding noise, we feel that 'Noise or vibration from the premises will be maintained at a level that will not be audible at the façade of any noise neighbouring noise sensitive premises.' requires clarification; 'sensitive premises' must clearly include any property where people live, eg houses, flats, care homes, hotels and the Deaf Academy.

The key to the effectiveness of the conditions will be their robust application, particularly in controlling alcohol consumption and the consequent behaviour of revellers when leaving the premises. It would seem appropriate, therefore, to review the licence after, say, 6 months. This, after all, is a very sensitive issue for people living nearby.

Our Association welcomes initiatives which help promote business opportunities, employment and enhanced visitor experience. This, however, needs to be balanced with the requirements of residents.

This comment is also supported by the Exmouth Civic Society.

Evidence:

Suggestion:
