

APPENDIX G

Hangtime Café, Unit 6 & 7 Queens Drive, Exmouth Responses to Notice of Hearing

Applicant

Hangtime Limited – [REDACTED] "Megan Barnett responding to Notice of Hearing"	
Hearing Unnecessary	Yes
Attending	Yes
Email Address	
Supporting documents	None
Summary of key points	<p>Prevention of Crime and Disorder</p> <ul style="list-style-type: none"> •The police have not objected to the application save for requiring all alcohol purchased from the premises to be consumed by persons sat at tables within the licensed area delineated on the approved plan lodged with the local authority. •The police have also advised that a refusals register shall be kept at the premises and be maintained to include details of all alcohol sales refused. •The premises shall install, operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and local authority. •No one carrying open or sealed bottles or glasses will be admitted to the premises at any time. All alcohol served from the premises will be served in branded reusable containers. <p>Public Safety</p> <ul style="list-style-type: none"> •There is no present intention of having drink promotions or 'happy hours'. •Staff will check the premises before it opens to the public each day to ensure there are no risks to patrons and that all safety precautions are in place. •The licence holder will ensure that all staff receive appropriate training about emergency, and general safety precautions and procedures, and that all staff are aware of their social and legal obligations and responsibilities regarding the sale of alcohol. •Free drinking water will be available at all times to the public whilst the premises is open. •Local taxi operators telephone numbers will be prominently displayed at the premises. •Sideshore will be operating regular litter and rubbish collection. This will be backed up by our own routine removal of rubbish, within and surrounding the premises. •Fire safety measures (including fire extinguishers, smoke alarm and fire blanket) will be maintained in good working order. Adequate first aid equipment will be kept on site.

APPENDIX G

	<p>Prevention of Public Nuisance</p> <ul style="list-style-type: none"> • There will always be a member of staff within the premises during our opening hours, and a member of staff will regularly patrol the outdoor area to supervise the orderly conduct of customers. •The outdoor areas are also within visual proximity of the windows and serving hatch of the cafe. Prominent and legible notices will be displayed on the premises requesting customers to leave the premises quietly. •Background recorded music will be provided as set out above. The volume of which will be carefully monitored and controlled with the maximum decibel level to be confirmed. •Sideshore will be operating regular litter and rubbish collection. This will be backed up by our own routine removal of rubbish, within and surrounding the premises. •All alcoholic drinks will be served in branded reusable containers. <p>Protection of Children from Harm</p> <ul style="list-style-type: none"> •A proof of age policy, agreed in writing with East Devon County Council, will be enforced by Hangtime Cafe (Challenge 21 or 25). Only PASS accredited ID, passports or photo driving licenses will be accepted as valid forms of identification. •There are no children's play areas. •Only branded reusable containers will be used for serving alcohol. •There will be no provision of entertainment of an adult nature on the premise.
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Interested Parties

1.	Ms Vicky Walkley –	
Hearing Unnecessary		Notice of response sheet not returned
Attending		Notice of response sheet not returned
Email Address		Notice of response sheet not returned
Supporting documents		Notice of response sheet not returned
Summary of key points		Notice of response sheet not returned This was a Supporting Representation

2.	Mrs Ruth West –	
Hearing Unnecessary		Notice of response sheet not returned
Attending		Notice of response sheet not returned
Email Address		Notice of response sheet not returned
Supporting documents		Notice of response sheet not returned
Summary of key points		Notice of response sheet not returned

APPENDIX G

3.	Mr Ivan West –	
Hearing Unnecessary	Notice of response sheet not returned	
Attending	Notice of response sheet not returned	
Email Address	Notice of response sheet not returned	
Supporting documents	Notice of response sheet not returned	
Summary of key points	Notice of response sheet not returned	

4.	Mrs Jenny Heslop –	
Hearing Unnecessary	No	
Attending	Yes but will be represented by Martin Heslop QC	
Email Address		
Supporting documents	Document setting out Key Points and objections under the licensing principles prepared with my husband Martin S Heslop QC	
Summary of key points	Please see Appendix G1 for Key Points and Objections	

5.	Mr Martin Heslop QC –	
Hearing Unnecessary	No	
Attending	Yes	
Email Address		
Supporting documents	Document setting out Key Points and objections under the licensing principles prepared with my wife Jenny Heslop.	
Summary of key points	Please see Appendix G1 for Key Points and Objections	

6.	Cllr Joy Whipps –	
Hearing Unnecessary	No	
Attending	No	
Email Address		
Supporting documents	None	
Summary of key points	<p>Prevention of Crime and Disorder The consumption of alcohol does not appear from the plan to allow for seating. So alcohol consumption will be for people willing to stand only with the potential to lead to rowdiness and eventful drunkenness.</p> <p>Public Safety My concern for public safety links to people who have consumed alcohol whether it be one or two drinks or consumed a vast quantity are a danger to themselves and other people on Queen's Drive seafront and footpaths and cyclepath.</p> <p>Prevention of Public Nuisance The nuisance of people congregating blocking footpaths and the noise they will create. Also loud music in an area very close to the beach, public pathways and highways.</p> <p>Protection of Children from Harm I am very concerned for encouraging underage drinking in this area. We do not want a repeat of the ugly scenes on the beach from last year which was alcohol related. Also this venue at the moment is predominantly used by families and younger people. I</p>	

APPENDIX G

	fear that children may be intimidated or vulnerable when trying to make purchases through a crowd of adults or teenagers. I would refer to my original email of 8 th June 2021.
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

7.	Mr Frank Allen – [REDACTED]	
	Representation withdrawn after mediation	
Hearing Unnecessary	N/A Rep now withdrawn	
Attending	N/A Rep now withdrawn	
Email Address	N/A Rep now withdrawn	
Supporting documents	N/A Rep now withdrawn	
Summary of key points	N/A Rep now withdrawn	

8.	Exmouth Community Association – [REDACTED]	
Hearing Unnecessary	No	
Attending	No	
Email Address		
Supporting documents	None	
Summary of key points	<p>Prevention of Public Nuisance</p> <p>There appears to be no indication of the maximum noise level which constitutes “background music”. It should not be left to the proprietor to decide what is acceptable.</p>	

9.	Cllr Nick Hookway – [REDACTED]	
	Representation withdrawn after mediation	
Hearing Unnecessary	N/A Rep now withdrawn	
Attending	N/A Rep now withdrawn	
Email Address	N/A Rep now withdrawn	
Supporting documents	N/A Rep now withdrawn	
Summary of key points	N/A Rep now withdrawn	

10.	Mrs Cecilia Jenkins – [REDACTED]	
Hearing Unnecessary	No	
Attending	No	
Email Address		
Supporting documents	None	
Summary of key points	<p>I object to a beautiful part of our seafront and estuary becoming an outdoor “pub”. We supported a Watersports Centre of Excellence with attendant refreshment facilities. What is going on? We do not want alcohol and music all day and most of the night, encouraging young people to behave out of character. Having fun and enjoying Exmouth’s any attractions is just great. It should NOT be about NOISE and BOOZE!</p> <p>You mention “management”. This proposal and its attendants problems cannot be managed safely – without extra resources which neither the town council nor the emergency services should be ailed to provide.</p>	

APPENDIX G

11.	Mr Rees Jenkins – [REDACTED]	
Hearing Unnecessary	No	
Attending	No	
Email Address		
Supporting documents	None	
Summary of key points	<p>Prevention of Crime and Disorder</p> <p>1. Changes agreed with police are meaningless.</p> <p>2. Disorder on the beach due to alcohol will only increase.</p> <p>Public Safety</p> <p>1. Consumption of alcohol in an area originally for the use by the general public is an undesirable change of use.</p> <p>2. Proximity of revellers to notoriously dangerous water, will be a threat to life.</p> <p>Prevention of Public Nuisance</p> <p>No provision for toilets. Increase in litter. Music and noise will carry to all neighbouring residents.</p> <p>Protection of Children from Harm</p> <p>Again: changes agreed with police are meaningless and irrelevant. Drunken, loutish behaviour is not what FAMILIIES want to be exposed to.</p>	

12.	Mrs Patricia Packe – [REDACTED]	
Hearing Unnecessary	No	
Attending	No	
Email Address		
Supporting documents	None	
Summary of key points	<p>Prevention of Crime and Disorder</p> <p>Likely to increase drunk, disorderly and anti-social behaviour along seafront in contravention of current proposals for a PSPO in this area.</p> <p>Unlikely that Hangtime will be able to ensure all sales of alcohol consumed within agreed licensed area.</p> <p>Public Safety</p> <p>Sale of alcohol in glass bottles will create safety issues of broken glass in an area where many people walk barefoot.</p> <p>Danger of people entering the sea in an inebriated state in an area of beach where currents are strong and dangerous.</p> <p>Prevention of Public Nuisance</p> <p>Noise from music played will create a noise nuisance for local residents (Trefusis Terrace/Douglas Avenue area) especially in summer when they are in their gardens or have windows open.</p> <p>Any anti-social behaviour will impact on local residents as well as visitors to Exmouth.</p> <p>Protection of Children from Harm</p> <p>Refusal of sale of alcohol for under-age drinkers maybe difficult to enforce during busy periods.</p>	

APPENDIX G

13.	Mr Roger Packe – [REDACTED]
Hearing Unnecessary	No
Attending	No
Email Address	
Supporting documents	None
Summary of key points	<p>Prevention of Crime and Disorder The Hangtime premises are two small huts. It would be difficult to control excess drinking which will have to take place outside.</p> <p>Public Safety As above, glass bottles may be taken onto the beach. Possibility of anti-social behaviour or injury from broken glass.</p> <p>Prevention of Public Nuisance Music played will create a nuisance for local residents when combined with other noise from Fairs, 'Mickey's' etc</p>

14.	Mrs Pamela Wedlake – [REDACTED]
Hearing Unnecessary	No
Attending	No
Email Address	
Supporting documents	None
Summary of key points	None

15.	Mrs Mary Nash – [REDACTED]
Hearing Unnecessary	No
Attending	Yes
Email Address	
Supporting documents	None
Summary of key points	<p>A) Prevention of Crime and Disorder The Police regularly have to attend to disturbances along the seafront largely caused by over consumption of alcohol on the beach. An outlet, which can only sell alcohol to be consumed outside will, in my view, add to this problem.</p> <p>B) Public Safety This outlet is targeting the younger market and is adjacent to a very dangerous part of the beach. The RNLI have already expressed publicly their fears in this respect.</p> <p>C) Public Nuisance The application refers to recorded music being allowed during opening hours. There is no reference to what form this will take nor is there any information from the applicant as to how the noise levels will be monitored or controlled. Playing of music outside will adversely impact on local residents</p> <p>D) The Preventions of Children from Harm Both visiting and local children are already accustomed to going unaccompanied to the Hangtime Cafe serving hatch to buy soft</p>

APPENDIX G

	<p>drinks. It would appear that the applicant has not taken into consideration that it is illegal for children to stand at or buy anything from a bar selling alcohol.</p> <p>It is astonishing that an area that EDDC planning department promoted to the public as a 'Water Sports Centre' is now predominantly a commercial retail location.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

16.	Ms Elaine Lewis –	
Hearing Unnecessary	No	
Attending	Yes	
Email Address		
Supporting documents	None	
Summary of key points	None	

17.	Ms Gina Hanson –	
Hearing Unnecessary	No	
Attending	Yes but will be represented by Martin S Heslop QC	
Email Address		
Supporting documents	None	
Summary of key points	<p>Key Points</p> <ol style="list-style-type: none"> 1. The application relates to a small hut in an area originally intended as a water sports centre but which has now become little more than an eating and entertainment area with a few retail outlets. 2. In effect, the application amounts to seeking to obtain for this tiny cafe in a hut (originally intended to sell coffee, ice creams and pastries etc.) permission for a "public house" with an on-site licence to sell alcohol extending to 22.00hrs and the playing of recorded music all day, every day of the year both inside and outside until the same time. Thus taking this business to a whole new level, the premises will remain open until 23.00hrs with all the attendant noise, nuisance and associated rubbish and pollution. 3. Hangtime Cafe is in a family area, limited in size, heavily frequented by children and young adults and in very close proximity to Mickey's Cafe, Beach Bar and Restaurant which already has a full licence with restricted hours. 4. We have not seen any proposals for toilet facilities. The premises are too small to provide their own; the only facilities are at Mickey's premises. This is a serious concern to public nuisance and hygiene. 5. This licensing application is at variance with the EDDC's major concern about growing alcohol fuelled anti-social behaviour on Exmouth Beach and Councillors unanimous decision to back plans, through public consultation, to extend the Public Spaces Protection order (PSPO) to cover the main Exmouth Beach Area. 	

APPENDIX G

There is support for urgent implementation of this order to be in place for this summer given the anticipated increase in staycations due to Covid.

6. As residents living almost immediately behind the applicant's premises, we strongly object to the granting of a licence to sell alcohol as it is likely to have a serious impact upon all four of the licensing objectives:

Prevention of Crime and Disorder

Notwithstanding what the Police have agreed with the applicant with regard to ON site only drinking, the granting of a new premises licence for this tiny cafe hut all day every day of the year for the consumption of alcohol until 22.00hrs has clear potential to increase the likelihood of alcohol fuelled anti-social behaviour and therefore crime and disorder.

Given the numbers of people visiting from outside Exmouth it is likely to become a magnet for young people and there is a real danger that Shoreside will become little more than a significant drinking venue, particularly in the evenings. Because the premises (hut) is so small, alcohol will inevitably be taken beyond the licenced outside area into the surrounding environment, for example the beach, the Maer and Gunfield Gardens directly beneath where we live. With regard to this latter area, we already have significant problems of anti-social behaviour, drugs and underage drinking.

Clearly, there is a major concern about how the consumption of alcohol and related anti-social behaviour on and off the premises will be managed, controlled and policed.

We are sure the Licensing Committee would be concerned that the cumulative impact of a new licence in an area saturated with premises of a particular type will make it a focal point, thereby creating exceptional problems of nuisance over and above the impact from the individual premises themselves.

Public Safety

The character of the premises concerned (a small hut) in a location and area which is limited in size and very close to a section of the beach which is highly dangerous gives rise to the concern that people under the influence of alcohol will attempt to enter the water and put their lives (and others) at risk.

Prevention of Public Nuisance

The applicant seeks to play recorded music indoors and outdoors every day from 9am to 10pm. This will add to the cacophony of noise already experienced particularly in the summer months that emanates from other premises on this beach location now including Mickey's outside events space.

In the Council's policies, the applicant is required to demonstrate they have in place measures for the prevention of public nuisance and the impact their activities will have on people living in the

APPENDIX G

	<p>vicinity (which should not be disproportionate or unreasonable), these include noise, light, smells and litter and this can include low level nuisance and the environment of interested parties. We have not seen any measures aimed at dealing with these issues, particularly regarding noise, pollution, the environment and are surprised that the applicants have not addressed these matters. Although the premises will close at 23.00hrs, it is the case that resultant late night noise will continue beyond this time in the vicinity which, although a seaside town, is still a quiet residential area and we have "a Right to Family Life."</p> <p>As mentioned under the section Key Points, we are concerned there is no provision of toilet facilities as none exist at present for the premises with the exception of Miceys and we are sure they would not be happy for their facilities to be used by patrons of Hangtime Cafe. This could give rise to issues of public nuisance and hygiene in an area of outstanding natural beauty.</p> <p>This is an area of outstanding natural beauty and there is a real concern that, with the increase in consumption of alcohol in an outside area, there will be a corresponding increase in littering, particularly plastic cups which, even if they are compostable, create rubbish on the beach, in the sea and surrounding area.</p> <p>Protection of Children from Harm</p> <p>We are not reassured by the agreement Police have made with the Applicant regarding an alcohol refusal register as everything depends on the rigour with which it is implemented and there maybe issues with customer confrontation.</p> <p>This is a small area with some retail outlets used by families (and water-sports enthusiasts), many of whom come from the beach area. The area already has a premises which is licenced (i.e. Mickey's Beach Bar), allowing further consumption of alcohol in yet another premises in close proximity is inappropriate and will lead to a change of character of this area, inevitably impacting on the children and young adults who use it at present with increased exposure to the dangers of alcohol consumption.</p> <p>As we have already stated there is a current significant problem with underage drinking, drug taking and related anti-social behaviour in this area which authorities and we, as residents, are acutely aware of and for which there has been an increase in public funding to attempt to deal with it. The granting of this licence will only exacerbate the problem further.</p>
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

18.	Mr Charles Salter –	
Hearing Unnecessary	No	
Attending	Yes but will be represented by Martin S Heslop QC	
Email Address		
Supporting documents	None	

APPENDIX G

Summary of key points	Key Points
	<p>1. The application relates to a small hut in an area originally intended as a water sports centre but which has now become little more than an eating and entertainment area with a few retail outlets.</p> <p>2. In effect, the application amounts to seeking to obtain for this tiny cafe in a hut (originally intended to sell coffee, ice creams and pastries etc.) permission for a "public house" with an on-site licence to sell alcohol extending to 22.00hrs and the playing of recorded music all day, every day of the year both inside and outside until the same time. Thus taking this business to a whole new level, the premises will remain open until 23.00hrs with all the attendant noise, nuisance and associated rubbish and pollution.</p> <p>3. Hangtime Cafe is in a family area, limited in size, heavily frequented by children and young adults and in very close proximity to Mickey's Cafe, Beach Bar and Restaurant which already has a full licence with restricted hours.</p> <p>4. We have not seen any proposals for toilet facilities. The premises are too small to provide their own; the only facilities are at Mickey's premises. This is a serious concern to public nuisance and hygiene.</p> <p>5. This licensing application is at variance with the EDDC's major concern about growing alcohol fuelled anti-social behaviour on Exmouth Beach and Councillors unanimous decision to back plans, through public consultation, to extend the Public Spaces Protection order (PSPO) to cover the main Exmouth Beach Area. There is support for urgent implementation of this order to be in place for this summer given the anticipated increase in staycations due to Covid.</p> <p>6. As residents living almost immediately behind the applicant's premises, we strongly object to the granting of a licence to sell alcohol as it is likely to have a serious impact upon all four of the licensing objectives:</p> <p>Prevention of Crime and Disorder</p> <p>Notwithstanding what the Police have agreed with the applicant with regard to ON site only drinking, the granting of a new premises licence for this tiny cafe hut all day every day of the year for the consumption of alcohol until 22.00hrs has clear potential to increase the likelihood of alcohol fuelled anti-social behaviour and therefore crime and disorder.</p> <p>Given the numbers of people visiting from outside Exmouth it is likely to become a magnet for young people and there is a real danger that Shoreside will become little more than a significant drinking venue, particularly in the evenings. Because the premises (hut) is so small, alcohol will inevitably be taken beyond the licenced outside area into the surrounding environment, for example the beach, the Maer and Gunfield Gardens directly beneath where we live. With regard to this latter area, we already</p>

APPENDIX G

have significant problems of anti-social behaviour, drugs and underage drinking.

Clearly, there is a major concern about how the consumption of alcohol and related anti-social behaviour on and off the premises will be managed, controlled and policed.

We are sure the Licensing Committee would be concerned that the cumulative impact of a new licence in an area saturated with premises of a particular type will make it a focal point, thereby creating exceptional problems of nuisance over and above the impact from the individual premises themselves.

Public Safety

The character of the premises concerned (a small hut) in a location and area which is limited in size and very close to a section of the beach which is highly dangerous gives rise to the concern that people under the influence of alcohol will attempt to enter the water and put their lives (and others) at risk.

Prevention of Public Nuisance

The applicant seeks to play recorded music indoors and outdoors every day from 9am to 10pm. This will add to the cacophony of noise already experienced particularly in the summer months that emanates from other premises on this beach location now including Mickey's outside events space.

In the Council's policies, the applicant is required to demonstrate they have in place measures for the prevention of public nuisance and the impact their activities will have on people living in the vicinity (which should not be disproportionate or unreasonable), these include noise, light, smells and litter and this can include low level nuisance and the environment of interested parties. We have not seen any measures aimed at dealing with these issues, particularly regarding noise, pollution, the environment and are surprised that the applicants have not addressed these matters.

Although the premises will close at 23.00hrs, it is the case that resultant late night noise will continue beyond this time in the vicinity which, although a seaside town, is still a quiet residential area and we have "a Right to Family Life."

As mentioned under the section Key Points, we are concerned there is no provision of toilet facilities as none exist at present for the premises with the exception of Mickey's and we are sure they would not be happy for their facilities to be used by patrons of Hangtime Cafe. This could give rise to issues of public nuisance and hygiene in an area of outstanding natural beauty.

This is an area of outstanding natural beauty and there is a real concern that, with the increase in consumption of alcohol in an outside area, there will be a corresponding increase in littering, particularly plastic cups which, even if they are compostable, create rubbish on the beach, in the sea and surrounding area.

APPENDIX G

	<p>Protection of Children from Harm</p> <p>We are not reassured by the agreement Police have made with the Applicant regarding an alcohol refusal register as everything depends on the rigour with which it is implemented and there maybe issues with customer confrontation.</p> <p>This is a small area with some retail outlets used by families (and water-sports enthusiasts), many of whom come from the beach area.</p> <p>The area already has a premises which is licenced (i.e. Mickey's Beach Bar), allowing further consumption of alcohol in yet another premises in close proximity is inappropriate and will lead to a change of character of this area, inevitably impacting on the children and young adults who use it at present with increased exposure to the dangers of alcohol consumption.</p> <p>As we have already stated there is a current significant problem with underage drinking, drug taking and related anti-social behaviour in this area which authorities and we, as residents, are acutely aware of and for which there has been an increase in public funding to attempt to deal with it. The granting of this licence will only exacerbate the problem further.</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

19.	Mrs Sally Osborn – [REDACTED]	Representation withdrawn after mediation
	Hearing Unnecessary	N/A Rep now withdrawn
	Attending	N/A Rep now withdrawn
	Email Address	N/A Rep now withdrawn
	Supporting documents	N/A Rep now withdrawn
	Summary of key points	N/A Rep now withdrawn

20.	Mr Toby Osborn – [REDACTED]	Representation withdrawn after mediation
	Hearing Unnecessary	N/A Rep now withdrawn
	Attending	N/A Rep now withdrawn
	Email Address	N/A Rep now withdrawn
	Supporting documents	N/A Rep now withdrawn
	Summary of key points	N/A Rep now withdrawn

21.	Mrs Jane Ashton [REDACTED]	
	Hearing Unnecessary	No
	Attending	Yes
	Email Address	
	Supporting documents	2 pages of summary of key points
	Summary of key points	Prevention of Crime an Disorder Increased pressure on Police at a time when PSPO needing to be enforced.

APPENDIX G

Saturation Exmouth is a family resort. This cafe/kiosk is on short stretch of coastline which is becoming saturated by licensed premises.

EDDC Statement of Licensing Policy Jan 2021- Jan 2026

Page 26 paragraph 9.2 states that the matter of cumulative impact can be taken into account when considering the individual merits of any application.

Conditions agreed with the Police.

It seems unrealistic that those conditions could be managed by a small number of staff manning a kiosk/pod with no visible boundary to its outside area.

As it is permissible for drinks other than alcohol to be taken away and consumed off the premises, the applicant needs to explain how they will ensure alcoholic drinks stay on the premises.

It will take experienced extra staff to manage an 'alcohol sales refusal register.

Public Safety

Proximity to dangerous stretch of coast + alcohol + dark sky=

Risk to Life

Increase in pressure on Emergency Services

Comparisons made with alcohol-related incidents in similar coastal locations with fast current, particularly late night.

The licensing Authority has a responsibility to assess risk before it happens. See: EDDC Statement of Licensing Policy Jan 2021- Jan2026 paragraph. 5.3.

"It should be noted that, when determining an application, the authority is making a judgment about risk. A key purpose of the licensing function is not to respond to crime and disorder, nuisance or public harm once it has happened but to make an informed assessment of the risk of such things occurring if a licence is granted and to take such steps as it considers appropriate to prevent or minimise such risks."

Public Safety and Prevention of Public Nuisance

Public safety, health, well-being and feeling safe rely upon prevention of public nuisance.

Increased light pollution and alcohol-triggered noise on these premises can deprive others of safe, quiet, uninterrupted enjoyment of one's own environment and its wildlife.

Residents and tourists who prefer sounds of lapping of the waves and seeing dark skies at night will be deterred from using this area.

EDDC Statement of Licensing Policy Jan 2021-Jan 2026

Para 5.3.2 points out that the needs of local community and the nature of the location must be taken into consideration.

The applicant must clarify the location and number of toilet facilities provided for customer use.

APPENDIX G

	<p>*Conditions necessary to ensure no increase in light pollution after dark towards the beach and across to The Maer.</p> <p>Prevention of Public Nuisance Increase in noise if alcohol is served. Music as early as 9am on a Sunday morning is not acceptable. There should be no music amplified into outside area. That would affect an area greater than the designated outside seating area of this kiosk.</p> <p>*It is unclear how the applicant intends to measure, monitor and manage noise levels. *Clarity needed on monitoring disposal of single use plastic containers. <u>EDDC Statement of licensing Policy Paras 5.3.3 and 5.3.4</u> note that applicants' operating schedules should include steps to control littering, excessive noise and disturbance caused by customers congregating outside licensed premises.</p> <p>Protection of Children from Harm For a family resort, Exmouth has an over-supply of licensed premises along this stretch of coastline. Watersports is the primary activity for which this development was intended. It is not advisable for alcohol to be in ready supply in the very area where young people are attempting to manoeuvre equipment which they are possibly unacquainted with in order to take part in water-sports activities.</p> <p>Again, <u>EDDC Statement of licensing Policy Paragraph 9.2</u> states that the matter of cumulative impact can be taken into account when considering the individual merits of any application.</p> <p>A site visit by members of the licensing authority and committee members might give credibility to these concerns.</p> <p>Applicant should detail arrangements for monitoring whereabouts of used plastic containers, to ensure they do not find their way onto the beach, The Maer or into mixed refuse which is to be incinerated.</p> <p>Plastic pollution and disregard for biodiversity threaten the health and well-being of children now and for generations to come. The connection between Protection of Children from Harm and Prevention of Harm to the Environment seems obvious. Shockingly, in 2021, the latter is still not a licensing objective.</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

22.	Cllr Alan Whipps -	
Hearing Unnecessary		No
Attending		No
Email Address		

APPENDIX G

Supporting documents	No
Summary of key points	<p>Prevention of Crime and Disorder The consumption of alcohol in the area identified does not appear form the “approved plan” to allow for seating: so alcohol consumption will be for people willing to stand only. This will not be for families/senior citizens but focus sales to younger people with the issue of groups congregating in a restricted area.</p> <p>Public Safety The premises are located adjacent Queen’s Drive public highway and the “approved plan” indicates the consumption of alcohol across the footpath leading to the highway. This presents a risk to people wandering after alcohol consumption onto the highway. It is hard to see how the proprietor/staff can take responsibility for their customers when they are “out of sight”.</p> <p>Prevention of Public Nuisance There is no detail of seating for customers to consume alcohol in the café or on the plan external to the café. It is considered the available space to be inadequate and the blocking of the pathway will create a public nuisance.</p> <p>Protection of Children from Harm The original function of Hangtime Café of soft drinks, teas/coffees and snack sales will be lost to alcohol sales. The restricted space for sale and consumption presents risk to families and especially children should alcohol sales be permitted.</p>

23.	Mrs Carol Metcalfe –	
Hearing Unnecessary	No	
Attending	Yes	
Email Address		
Supporting documents	None	
Summary of key points	<p>Cumulative Impact Section 9 EDDC Licensing Policy</p> <p>Prevention of Crime and Disorder Please see email representation dated 12.06.21</p> <p>Public Safety Please see email representation dated 12.06.21</p> <p>Prevention of Public Nuisance Please see email representation dated 12.06.21</p> <p>Protection of children from harm Please see email representation dated 12.06.21</p>	

24.	Mrs Jean Jordan –	
Hearing Unnecessary	Not completed	
Attending	No	

APPENDIX G

Email Address	
Supporting documents	None
Summary of key points	<p>Prevention of Crime and Disorder It will likely exasperate the problems in the area relating to alcohol and drugs. The lack of public conveniences in this area contribute to an ongoing problem with people using Gunfield Gardens/The Maer and many other places as a toilet. These parks are used by families who picnic and play unaware of the risk.</p> <p>Public Safety I fear people will become drunk and disorderly in what is predominantly a family area and cause distress. Also the beach in this area can be treacherous. I would like to add that in May 2021 EDDC Cabinet are going to consult further whether to extend the exiting PSP order for the town to include the beach.</p> <p>Prevention of Public Nuisance Noise travels further at night and therefore local residents could be disturbed. I would like to add that more litter could be deposited. This café doesn't appear to include a toilet inside the hut.</p> <p>Protection of Children from Harm There are often youngsters out late at night and they could be vulnerable to adults drinking outside the premises.</p>

25.	Mr Ron Metcalfe -	
Hearing Unnecessary	No	
Attending	Yes	
Email Address		
Supporting documents	None	
Summary of key points	<p>Cumulative Impact Section 9 EDDC Licensing Policy</p> <p>Prevention of Crime and Disorder Please see email representation dated 13.06.21</p> <p>Public Safety Please see email representation dated 13.06.21</p> <p>Prevention of Public Nuisance Please see email representation dated 13.06.21</p> <p>Protection of children from harm Please see email representation dated 13.06.21</p>	

26.	Mrs Silvia H Hope-Milne -	
	Representation withdrawn after mediation	
Hearing Unnecessary	N/A Rep now withdrawn	
Attending	N/A Rep now withdrawn	
Email Address	N/A Rep now withdrawn	
Supporting documents	N/A Rep now withdrawn	
Summary of key points	N/A Rep now withdrawn	

APPENDIX G

27.	Mr Peter Tweedie –	
Hearing Unnecessary	No	
Attending	Yes	
Email Address		
Supporting documents	None	
Summary of key points	<p>Prevention of Crime and Disorder Unlawful behaviours such as using the Maer Nature Reserve as a place to discard waste and fighting on the beach occurred last summer.</p> <p>The sale of alcohol for 12 consecutive house so close to the beach and nature reserve could increase unlawful behaviour.</p> <p>Public Safety The presence of intoxicated people could post a safety issue because Hangtime Café is bordered on two sides of a busy road and on one side by a cycle path. People participating in water sports will be moving large items of equipment though the area which increases the risk of accident.</p> <p>Prevention of Public Nuisance How will any noise/music/vibration be kept to a level so as not to be a nuisance to nearby residents What does it mean that the volume of music will be carefully monitored and controlled?</p> <p>Protection of Children from Harm See Public Safety and Prevention of Crime above...</p>	

28.	Mr Gordan Hodgson –	
Hearing Unnecessary	Notice of response sheet not returned	
Attending	Notice of response sheet not returned	
Email Address	Notice of response sheet not returned	
Supporting documents	Notice of response sheet not returned	
Summary of key points	Notice of response sheet not returned	