

# REPRESENTATIONS LIST

**Application No:** 052725

**Application Date:** 5 October 2021

**Licence Type:** Premises Licence WITH Alcohol

**Licence No:** N/A

**Application Type:** New Application

**Premises:** Exmouth Parade Mini Market  
5 The Parade, EXMOUTH, Devon, EX8 1RS.

**Applicant:** Saravanan Thayanathan

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

**Representation Accepted:** Representation has been accepted

**Reason:** Agreed Position

**Details:**

Team,  
Please see the below email trail regarding an agreed position I have come to with the applicant for the above licence, in light of that I would like to make a representation under the Prevention of Crime and Disorder and Protection of Children from Harm licensing objectives to have the agreed amendments/additions made to the licence should it be granted.  
Cheers  
Mike  
Mike NORSWORTHY  
Alcohol Licensing Officer (Teignbridge and East Devon)

From: Patrick Burke  
Sent: 19 October 2021 12:31  
To: NORSWORTHY Mike 57895  
Subject: Re: Exmouth Parade Mini Market New Premises Licence Application

Hi Mike

My client is happy for the suggested conditions to be included in the application for a Premises Licence for Exmouth Parade Mini Market.

Patrick  
Sent from Yahoo Mail on Android

On Tue, 19 Oct 2021 at 11:16, NORSWORTHY Mike 57895  
wrote:  
Good morning Patrick,

I am in receipt of your application for a New Premises Licence at the above location, I have assessed the application and would like the following additions/amendments made to the application should the licence be granted. Most of them are just a change of wording to conditions you have offered.

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

Remove the following condition:-

"Protecting Children from Harm

All persons involved in the sale of alcohol ,who are not personal licence holders, will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date. TRAINING RECORDS WILL BE MAINTAINED AT THE PREMISES AND MADE AVAILABLE TO ALL RESPONSIBLE AUTHORITIES ON REQUEST"

Replace with the following condition:-

STAFF TRAINING

All staff, WHO ARE NOT PERSONAL LICENCE HOLDERS, engaged in licensable activity at the premises will receive training and information in relation to the following:

- i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.
- ii. The hours and activities permitted by the premises licence issued under the Licensing Act 2003 and conditions attached to the licence.
- iii. How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).

Premises: Exmouth Parade Mini Market  
5 The Parade, EXMOUTH, Devon, EX8 1RS.

- iv. Recognising the signs of drunkenness.
- v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
- vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6 month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

Amend the following condition:-

"Between the hours of 00:00 - 05:00 an SIA Security Staff will be employed Monday - Sunday to control and monitor customers entry and exit at the premises"

To read:-

Between the hours of 00:00 - 05:00 an SIA Security Staff will be employed Monday - Sunday to control and monitor customers entry and exit at the premises, the SIA Security Officer's sole duties will be security and they shall be on duty in addition to at least one other member of staff.

Add the following condition:-

#### DOOR SUPERVISOR REGISTER

The following details for each door supervisor will be contemporaneously entered into a register kept for that purpose:

- (i) Full name
- (ii) SIA licence/badge number, and registration number of any accreditation scheme recognised by the Licensing Authority (including expiry date of that registration or accreditation)
- (iii) The date and time they began their duty
- (iv) The date and time they completed their duty
- (v) The full details of any agency through which they have been allocated to work at the premises if appropriate

The register shall be available for inspection and copying at all reasonable times by an authorised officer of a responsible authority.

The register shall be kept at the premises at all times and be so maintained as to enable an authorised officer to establish the particulars of all door supervisors engaged at the premises during the period of not less than 12 months prior to the request.

#### UNDER THE PREVENTION OF CRIME AND DISORDER

Remove the following conditions:-

- "1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.
- 2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to ALL RESPONSIBLE AUTHORITIES upon request.
- 3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download in a recognised format any information requested ALL RESPONSIBLE AUTHORITIES
- 4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).
- 5. A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.
- 6. All CCTV images will be retained for a period of not less than 31 day  
In the event the hard disk is replaced for any reason ,the old hard disk must be kept at the premises for 31days and be readily available for all the licensing authorities"

Replace with the following condition:-

#### CCTV

The premises shall install operate and maintain a comprehensive digital colour CCTV  
All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.  
The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition.  
The CCTV system will continually record whilst the premises are open for licensable activities and during

**Premises:** Exmouth Parade Mini Market  
5 The Parade, EXMOUTH, Devon, EX8 1RS.

all times when customers remain on the premises.  
All equipment must have a constant and accurate time and date generation.  
All recordings will be stored for a minimum period of 31 days with date and time stamping.  
Viewable copies of recordings will be provided on request to the Police or local authority officers as soon as is reasonably practicable and in accordance with the Data Protection Act 2018 (or any replacement legislation) a staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open. This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).  
The CCTV system will be capable of downloading images to a recognisable viewable format.  
There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

Remove the following condition:-

"7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded and MADE AVAILABLE TO ALL RESPONSIBLE AUTHORITIES ON REQUEST"

Replace with the following condition:-

#### INCIDENT LOG

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

- i. Any incidents of disorder or of a violent or anti-social nature
- ii. All crimes reported to the venue, or by the venue to the police
- iii. All ejections of patrons
- iv. Any complaints received
- v. Any faults in the CCTV system
- vi. Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.

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

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

Add the following condition:-

All alcohol on display will be in such a position so as not to be obscured from the constant view of the cashier / staff.

#### UNDER THE PROTECTION OF CHILDREN FROM HARM

Remove the following condition:-

"A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks."

Replace with the following condition:-

#### REFUSALS REGISTER

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

- i. the date and time of refusal
- ii. the reason for refusal
- iii. details of the person refusing the sale
- iv. description of the customer
- v. any other relevant observations.

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

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

Remove the following condition as covered in the training condition above:-

"All staff ,WHO ARE NOT PERSONAL LICENSE HOLDERS ,working at the premises involved in the sale of age restricted products including alcohol will receive on-going training

**Application No:** 052725

**Premises:** Exmouth Parade Mini Market  
5 The Parade, EXMOUTH, Devon, EX8 1RS.

and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises."

As you will see, these are mainly changes to the wording of the conditions to the standard wording East Devon District Council would expect me to ask for. There are also a couple of additional conditions and amendments I would like in order to further promote the licensing objectives, as you have pointed out, these are sensitive premises next door to a nightclub.

If you and your client are in agreement with the above please reply as such and I will inform the Local Authority so they can amend the licence should it be granted.

Kind regards

M ke

**Evidence:**

**Suggestion:**

**Person making Representation:** EXMOUTH TOWN COUNCIL PLANNING COMMITTEE

**Representation Accepted:** Representation has been accepted

**Reason:**

**Details:**

Exmouth Town Council Planning Committee objected to the proposed premises license application under the licencing objectives prevention of crime and disorder and the prevention of public nuisance.

The application seeks approval for a license to sell alcohol 24 hours a day, 7 days a week in the centre of town, near a no alcohol zone. To the best of the Committees knowledge there are no other premises with a 24-hour licence in the town centre. If granted, this would be setting a precedent and other premises may seek to follow suit. The premises was located in an area where people could congregate and potentially cause a public nuisance to the residents living in the area. The premises next door was a nightclub and members felt that it would exacerbate public nuisance and increase crime and disorder in the vicinity.

**Evidence:**

**Suggestion:**

**Application No:** 052725

**Premises:** Exmouth Parade Mini Market  
5 The Parade, EXMOUTH, Devon, EX8 1RS.

**Person making Representation:** Yogananthan Kuhananthan

**Representation Accepted:** Representation has been accepted

**Reason:**

**Details:**

To the licensing Service,  
licensing@eastdevon.gov.uk

LICENSING ACT 2003

Dear Sir/madam

REPRESENTATION AGAINST 24 HR PREMISES LICENCE APPLICATION  
AT EXMOUTH PARADE MINI MARKET 5 THE PARADE, EXMOUTH EX8 1RS

We wish to object to this application on the following Grounds.

1. The Prevention of Crime and Disorder

This could provide the perfect opportunity for drink and drive customers

2. Public Safety.

There would be an increased risk to public safety as a result of 24hrs available. Alcohol for consumption outdoors after dark..

3. Prevention of Public Nuisance.

There is an automatic risk of public nuisance being caused by people who indulge in alcohol consumption outdoors especially late at night

4. Protection of children from harm.

24hours available alcohol increases any risk of danger to children in the care of late night alcohol consumers driving at night

Signed - removed  
Name: Yogananthan Kuhananthan  
Address - removed

(Attachment - a list of 29 names/address/contact numbers in support of the representation)

**Evidence:**

**Suggestion:**

---