

REPRESENTATIONS LIST

APPENDIX D

Application No: 055151 **Application Date:** 13 January 2023
Licence Type: Premises Licence WITH Alcohol **Licence No:** N/A
Application Type: New Application

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

Applicant: Yogananthan Ramesh

Person making Representation: Jeanette Weston

Representation Accepted: Representation has been accepted

Reason: Public Safety, Public Nuisance

Details: Licensing Manager
EDDC
Blackdown House
Heathpark Industrial Estate
Honiton
EX14 1EJ

27th January 2023 (RECEIVED IN OFFICE 02/02/2023)

Ref: Premises Licence Application - 055151

Dear Licensing Manager,

I am writing to you to raise my significant concerns regarding the above Licensing Application.

I sincerely believe that anyone purchasing alcohol at "potentially" 2a.m. would cause serious issues and, one would assume they would most likely be already be inebriated by that time.

As Strand residents my husband and I would like to formally object to this Application as we consider this has the potential to cause considerable Public Nuisance and possibly, even more worryingly, threaten public Safety.

Yours sincerely,

Mr & Mrs Weston



Evidence:

Suggestion:

Application No: 055151

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

Person making Representation: David WESTON

Representation Accepted: Representation has been accepted

Reason: Public Safety, Public Nuisance

Details: Licensing Manager
EDDC
Blackdown House
Heathpark Industrial Estate
Honiton
EX14 1EJ

27th January 2023 (RECEIVED IN OFFICE 02/02/2023)

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As Strand residents my husband and I would like to formally object to this Application as we consider this has the potential to cause considerable Public Nuisance and possibly, even more worryingly, threaten public Safety.

Yours sincerely,

Mr & Mrs Weston



Evidence:

Suggestion:

Application No: 055151

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

Person making Representation: Steve Orchard - Garners Home Hardware
Garners Home Hardware, 27 The Strand, EXMOUTH, Devon, EX8 1AQ.

Representation Accepted: Representation has been accepted

Reason: Crime & Disorder, Public Safety, Public Nuisance

Details:
From: steve orchard
Sent: 30 January 2023 13:54
To: Licensing EDDC
Subject: Objection to Application 055151 - Moores Newsagents

To who it may concern

I would like to make an objection to the above application for Moores Newsagents to be able to sell alcohol until 2am.

I am the owner of Garners Home Hardware, 27 The Strand, immediately next door to Moores Newsagents. The only possible customers they can expect to attract with selling alcohol until the small hours are a combination of street drinkers, people seeking further alcohol after a night out and youths roaming the streets, which is definitely not what we want gathering around at what is normally the quieter side of the Strand.

There are already constant problems at the license applicants other shop at the North side of the Strand with exactly the types of persons I mentioned above, who regularly hand out physical and verbal abuse to anyone who crosses their path.

Over the years of my ownership I have had many windows broken at my shop, always in the late hours of the evening/early morning which has come at huge expense to myself. The possibility of people gathering in the small hours to purchase alcohol next door, will hugely increase the likelihood of damage to my property from people under the influence.

Please accept this email as my objection to the application.

Regards

Steve Orchard
Garners Hone Hardware

On 1 Feb 2023, at 17:40, Licensing EDDC wrote:

Dear Mr Orchard

Thank you for your representation. Any representations or objections raised against a licensing application must relate to one or more of the licensing objectives:

1. Prevention of crime & disorder
2. Public safety
3. Prevention of public nuisance
4. Protection of children from harm

In order to accept your objection could I ask you to clarify to which of the objectives your objection relates? If you could confirm as soon as possible I would be grateful.

If any objections raised cannot be overcome through mediation between parties this matter will be put before the EDDC Licensing Sub-Committee for a decision. You will be contacted ahead of the hearing to confirm if you wish to attend and will have the opportunity to submit additional information or comment in support of your objection, ahead of the hearing.

If you have any questions regarding the process please contact me.

Regards
Lesley Barber
Licensing Officer

From: steve orchard
Sent: 01 February 2023 20:32
To: Licensing EDDC
Subject: Re: Objection to Application 055151 - Moores Newsagents

Lesley,

The objectives my objection relates to is, Prevention of crime and disorder, Public safety and Prevention of public nuisance

Regards
Steve Orchard
Garners Home Hardware

Application No: 055151

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

Evidence:

Suggestion:

Application No: 055151**Premises:** Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.**Person making Representation:** Andrew Humphries - Andrew Humphries Jewellery
Andrew Humphries Jewellery, 21 The Strand, EXMOUTH, Devon, EX8 1AF.**Representation Accepted:** Representation has been accepted**Reason:** Crime & Disorder, Public Safety, Public Nuisance, Children from Harm**Details:**
From: exmouth shop
Sent: 01 February 2023 10:03
To: Licensing EDDC
Subject: Application 055151

Good Morning

Im emailing regarding application 055151 Strand newsagents, the strand Exmouth

As a business in the strand Exmouth for 8 years we and other traders have had our share of underage drinkers, drunks, vagrants and drug users to deal with, and as a traders group with the help of the police and licencing agents for east devon we eventually regained some control of the situation and the strand once again is a nice place for businesses, visitors and locals al ke and we are gearing up for the summer with lots plannedoutside in the sun.

You can imagine my horror when i saw an alcohol licence being applied for at the newsagents. We had so much trouble from Premier stores in rolle street selling and supplying underage and drunks alcohol and it appears the gentleman from here now has bought and applied for a licence that would run 20 hours a day. There are more than enough alcohol licences in this area, we certainly dont need more and definitely not at 2 am or 6 am

Who will pay for policing the area because certain disruption this will cause, it is a residential area after all. If someone buys alcohol at 2 am will they take it home?? unlikely. More likely it will be consumed in the public space that is the strand, probably sat at licenced premises outdoor seating. Will these seats be thrown at business windows?? will public toilets be open to deal with drinking and the consequences or are we to come in to our shops in the morning to find door ways being used as urinals??

Obviously extra policing will be needed to maintain safety to the public

We already have had many instances of children asking adults to buy for them at premier stores.

As a local, a business owner and dad i see nothing that this application would do to enhance the area or town

I strongly object to this application

Andrew Humphries
Andrew Humphries Jewellery
21 The Strand
Ex8 1Af-----
From: Licensing EDDC
Sent: 01 February 2023 17:59
To: 'exmouth shop'
Subject: RE: Application 055151

Dear Mr Humphries

Thank you for your representation. Any representations or objections raised against a licensing application must relate to one or more of the licensing objectives:

- oPrevention of crime & disorder
- oPublic safety
- oPrevention of public nuisance
- oProtection of children from harm

In order to accept your objection could I ask you to clarify to which of the objectives your objection relates? If you could confirm as soon as poss ble I would be grateful.

Within your representation I note your comments in relation to there being no 'need' for another licensed premises and that there are 'more than enough' already. Please be aware the Licensing Act specifically sets out that this is not a matter for a licensing authority to consider so any relevant representation but relate only to the licensing objectives. Need or demand are not a consideration. I mention this now to give you the opportunity to add further comments relating to the licensing objectives if you wish to do so.

Please see additional guidance on our website: <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/>

If any objections raised cannot be overcome through mediation between parties this matter will be put before the EDDC Licensing Sub-Committee for a decision. You will be contacted ahead of the hearing to

Application No: 055151

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

confirm if you wish to attend and will have the opportunity to submit additional information or comment in support of your objection, ahead of the hearing.

If you have any questions regarding the process please contact me.

Regards
Lesley Barber
Licensing Officer

ADDITIONAL INFORMATION SUBMITTED 09/02

From: exmouth shop
Sent: 09 February 2023 14:25
To: Lesley Barber
Subject: the strand exmouth licencing

Please note our objections on application 055151

Prevention of crime & disorder

We have concerns that extra policing will be needed if off sales are allowed for the hours the applicant requires. How will this be paid for?
Who will pay?

We have had a lot of problems with people drinking in the Strand over the years, this wont help. There is sure to be incidents of off sales to drunks and users that will affect the area and our business

Public safety

Will the applicant guarantee the area around this outlet will be safe?

Prevention of public nuisance

Who will enforce licencing conditions. we understand logs of refusals to sell to under age, inebriated must be kept. will they??

Protection of children from harm

Underage drinking is all around. we know that older kids and adults will be asked by underaged to get alcohol for them. What measures will be taken to prevent this?

We also notice that the applicant has already installed an off sales window. This is obviously for the safety of his staff. What about our safety??

I see no need for someone to be granted a licence to be able to retail alcohol 20 hours a day or any further licenced premises in the town centre

Andrew Humphries
Andrew Humphries Jewellery
21 The Strand, Exmouth

Evidence:

Suggestion:

Application No: 055151**Premises:** Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.**Person making Representation:** Lynsey LOWTHIAN - Palm Exmouth
Palm, 2 Rolle Street, EXMOUTH, Devon, EX8 1HE.**Representation Accepted:** Representation has been accepted**Reason:** Crime & Disorder, Public Safety, Public Nuisance, Children from Harm**Details:**

From: "Palm"
 Sent: 27 January 2023 12:56
 To: Licensing EDDC
 Subject: Representation against license application 055151
 Importance: High
 Sensitivity: Confidential

To whom it may concern: Representation licence application 055151

As the owner of Palm (2 Rolle St Exmouth) and a resident of Exmouth town centre. I am writing to raise my concerns. and an objection. to the licensing application ref: 055151 Moores Newsagent and Convenience Store, Strand, Exmouth

The new owner of this premises also owns Premier JC Stores, 9 Rolle Street, Exmouth (which also trades as Aathiran & Co Ltd)

I have raised concerns previously about the way in which their existing store is run in terms of it's premises licence and upholding and adhering to the licensing objectives. These concerns have included:

"Selling to alcohol and vape products to underage children - Protection of children from harm + Prevention of public nuisance + Prevention of crime & disorder + Public safety

"Children knowing that the shop is the only place you can get served with alcohol and vapes - Protection of children from harm

"Children under the influence being allowed to congregate outside the shop which has results in fights and attacks (verbally and physically) on passing members of the public - Protection of children from harm + Prevention of public nuisance + Prevention of crime & disorder + Public safety

"Alcohol being sold to members of the public buying on behalf of the children stood outside - Protection of children from harm

"Alcohol being sold to the street drinkers who are already under the influence - Prevention of public nuisance + Prevention of crime & disorder + Public safety

"Alcohol being sold early in the morning to the street drinkers as they cannot purchase it elsewhere at that time in morning - Prevention of public nuisance + Prevention of crime & disorder + Public safety

"Alcohol being sold after the time permitted on the premises licence - Prevention of public nuisance + Prevention of crime & disorder + Public safety

All of these factors have had an impact on Palm and on both our day and evening customers. We have had customers leave our outside seating because of this and also had customers tell us they come out into the town centre much less due to what is happening in the area.

It is my understanding that the company were told they would need to employ a security guard on Friday and Saturday evenings. We are aware that this happened on just one occasion, the guard was subsequently cancelled and no guard has been present since. It's my opinion that the owner/DPS do not take their licence seriously and think that the laws don't apply to them. I also believe that they do not understand the impact they are having on the local area. The other surrounding licence holders, adhere to our licences and are committed to upholding the licencing objectives and take pride in doing so. We want the town centre to be a thriving, pleasurable place to spend time both during the day and at night. - Protection of children from harm + Prevention of public nuisance + Prevention of crime & disorder + Public safety

My concerns are that the issues we are experiencing at the north end of the Strand as a result of JC Stores disregard for the licensing law, will simply be mirrored at the opposite end of the Strand and that we will be sandwiched between the two, with double the trouble. It wont take long for the street drinkers and children to become aware that the same owners have opened a new shop and that they now have two options for obtaining alcohol and vape paraphernalia. The Strand will soon become a very undesirable place to be. Prevention of public nuisance + Prevention of crime & disorder + Public safety

With regard to the particulars of their application, I don't understand why a newsagent would want to be able to sell alcohol from 6am. The only people up and about at that time to purchase it would be the homeless and street drinkers. Conversely the only people who would be looking to buy alcohol from a shop at 2am would be people who are out and about in the middle of the night - the bars and restaurants in the area stop serving around midnight (if not well before). This would attract the street drinkers and youngsters even further and encourage people to hang around the Strand until the early hours - most likely people who are already under the influence of drink. It's my opinion that the hours of 'supply of alcohol for consumption OFF the premises' should be reduced to the more respectable and sensible 'shop' hours of 09:00 until 23:00. Prevention of public nuisance + Prevention of crime & disorder + Public safety

From the spring, the outside furniture of some of the businesses on the Strand will be set up and left out overnight. If people are able to obtain alcohol until the wee hours it would be likely that the outside furniture of the businesses opposite the shop would be a very attractive place to sit to consume it. There is a real threat of damage to furniture, human waste, littering and also the potential of mindless damage to

Application No: 055151**Premises:** Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.businesses in the area (which we have also already experienced). Prevention of public nuisance +
Prevention of crime & disorder + Public safety

Many thanks for your time.

My name is Lynsey Lowthian, 2 Rolle Street, Exmouth, EX8 1HE and my telephone number is
[REDACTED]**Evidence:****Suggestion:****Person making Representation:** Oliver Bainbridge
The Grapevine, 2 Victoria Road, EXMOUTH, Devon, EX8 1DL.**Representation Accepted:** Representation has been accepted**Reason:** Crime & Disorder, Public Safety, Public Nuisance, Children from Harm**Details:**

RECEIVED 08/02/2023

Ref: licence application 055151

Dear Licensing manager,

I write to officially object to the above application as both a local resident of Exmouth and also a business owner in the vicinity of the premises and individual making the application.

Premises licences are granted ensuring that the four licensing objectives will be met, this application seems to be inconsistent with several, particularly when consideration is taken of the other off-license on the Strand also owned by the same people and the manner in which this has been operated.

The Strand is an area where families and children come to relax and have a run around and let off steam "the protection of children from harm licensing objective". As a local business I have witnessed street drinkers buying beer from local off-licenses and drinking on the Strand, shouting, swearing while drunk, selling drugs, generally intimidating people. We have had a death in recent years of one of these drinkers that went un-noticed by the other street drinkers due to them being so drunk. This is not to be encouraged by the permitting of a new off-license in the Strand. Street drinkers would be correct in assuming that the Strand was a place that encourages street drinking if the licensing team allowed another off-license selling cheap alcohol was to be opened.

The Strand is an area in the town centre that has had many calls to the police by local people and local businesses for repeated examples of "prevention of crime and disorder and the prevention of public nuisance". The police logs alone should show the many calls that have been made evidencing, drunken behaviour by street drinkers, young people being approached by street drinkers, vulnerable people being attacked by street drinkers, local businesses' being affected by noise, public nuisance, crime and disorder etc. Our Strand Businesses group chat can evidence huge amounts of problems with people obtaining cheap drink from off-licenses and making a nuisance of themselves in the Strand.

If this was an on-license then my view would be different. I think having people in the Strand sitting in bars and on the outside areas of those bars drinking alcohol/non-alcoholic drinks and eating food has had a positive impact on the "prevention of crime and disorder and the prevention of public nuisance". This is because those licensed premises and owners of them are required by the conditions to their license to control the areas they have and keep them well managed and in good order. The issues with an off-license is that the licensee has no responsibility for the actions derived from the consumption of alcohol once it has left the shop. This is a recipe for disaster for an area like the Strand.

The licensing objectives I feel will be in breach if this is allowed to go ahead are:

- " The prevention of crime and disorder
- " Public safety
- " The prevention of public nuisance
- " The protection of children from harm.

Yours sincerely

Oliver Bainbridge
The Grapevine Brewhouse, 2 Victoria Rd, Exmouth, EX8 1DL
[REDACTED]**Evidence:****Suggestion:**

Application No: 055151

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

Person making Representation: Devon & Cornwall Police
Licensing Department, Launceston Police Station, Launceston, Cornwall, PL1

Representation Accepted: Representation has been accepted

Reason: Agreed Position

Details: From: NORSWORTHY Mike 57895
Sent: 09 February 2023 11:08
To: Ian Rushton
Subject: New Premises Licence application MOORES NEWSAGENTS AND CONVENIENCE STORE 28 The Strand Exmouth

Good morning Ian,

Having assessed your application and following our mediation, in order to further promote the Licensing Objectives, I would like to have the following amendments/additions made to the operating schedule you have submitted with the application should it be granted. If you agree with the amendments/additions please reply to me as such, there is no requirement to contact the Local Authority to make any amendments to the application, when we have come to an agreed position, I will forward the agreement to the Local Authority who will make the necessary changes should the licence be granted.

You will see that most of the amendments are just replacing conditions you have offered with alternative wording from the councils suggested pool of conditions.

UNDER THE PREVENTION OF CRIME AND DISORDER LICENSING OBJECTIVE
Delete the following condition:-

A CCTV camera system capable of providing good quality images in all lighting conditions shall be used. Cameras shall cover inside the shop and the area immediately outside.

Images will be retained for a period of at least 28 days and be made available to Police Officers on reasonable written request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

Replace with the following condition:-

CCTV

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

All public areas of the licensed premises including entry and exit points will be covered, including the area immediately outside the premises.

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

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

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

All recordings will be stored for a minimum period of 28 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.

Delete the following condition:-

A staff training scheme shall be used for all staff authorised to sell alcohol. The training will cover the importance of preventing under age sales and complying with licence conditions.

Refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities

Replace with the following condition:-

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

STAFF TRAINING

All staff 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).
- 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 12-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

Training records will be retained for at least 12 months.

Delete the following condition:-

Any incidents of crime and disorder at or immediately outside the premises, witnessed by staff, will be recorded in an incident book kept at the premises. This book will be kept in the shop and available for inspection.

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 at or immediately outside of the premises
- 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 conditions:-

DOOR SUPERVISORS

At any time when alcohol is offered for sale at the premises, the DPS will risk assess the need for Door Supervisors to be employed. Consideration should be given to any events in the Local area.

NATURE OF ALCOHOL SALES

No super-strength beer, lagers, ciders or spirit mixtures of 6.0% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

No single cans of beer, lager, cider or spirit mixtures shall be sold at the premises.

Customers shall not be allowed inside the shop after 12 midnight each day

After 12 midnight, customers will only be served through a serving hatch until closing time.

UNDER THE PROTECTION OF CHILDREN FROM HARM LICENSING OBJECTIVE

Delete the following conditions:-

The shop shall adopt the Challenge 25 Policy.

Anyone who appears to be under 25 years old who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.

A refusals register (for the sale of alcohol) will be kept and be available for inspection by responsible authorities.

Replace with the following conditions:-

CHALLENGE 25

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

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

- A photo driving licence
- A passport
- An identification card carrying the PASS hologram

Unless such identification is produced the sale of alcohol must be refused.

This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18.

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.

Kind regards

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

From: Ian Rushton
Sent: 09 February 2023 11:11
To: NORSWORTHY Mike 57895
Subject: RE: New Premises Licence application MOORES NEWSAGENTS AND CONVENIENCE STORE
28 The Strand Exmouth

Hi Mike

Thanks for your email and for our discussions.

I can confirm my clients agreement to the suggested/updated conditions below.

Thanks, Ian

From: NORSWORTHY Mike 57895
Sent: 09 February 2023 12:06
To: Licensing EDDC
Subject: FW: New Premises Licence application MOORES NEWSAGENTS AND CONVENIENCE STORE
28 The Strand Exmouth

Team,

Please see the email trail below detailing an agreed position I have come to with the applicants for the above licence, you can see that most of the agreement is just rewording of conditions offered by the applicant, there are, however a number of additional conditions the applicant has agreed to have imposed on the licence should it be granted, (I have highlighted these for ease of reference).

In light of this agreement I would like to make a representation under the Prevention of Crime and Disorder and the Protection of Children from Harm licensing objectives to have these amendments/additions made to the licence should it be granted.

Kind regards

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

Evidence:

Suggestion:

Application No: 055151

Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

Person making Representation: George Nightingale - Spoken
Spoken, 43 The Strand, EXMOUTH, Devon, EX8 1AL.

Representation Accepted: Representation has been accepted

Reason: Crime & Disorder, Public Safety, Public Nuisance, Children from Harm

Details: SPOKEN

43 The Strand Exmouth Devon
EX8 1AL
Licensing Manager
EDDC
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ
28th January 2023
Ref: Premises licence application 055151

Dear Licensing manger,
I write to officially object to the above application as both a local resident of Exmouth and also a business owner in the vicinity of the premises and individual making the application.

Premises licences are granted ensuring that the four licensing objectives will be met, however, I have grave misgivings that they will be able to be met, and in addition I do not see a need or requirement for additional retail of alcohol, and particularly at the times proposed.

In no way is this an objection to business growth or introduction. Indeed I wholeheartedly support both, however, The Strand is finally starting to become a destination venue for the cafe quarter that it was developed for almost a decade ago.

The relatively recent introduction of Premier Stores (who I understand is related to the application in question) as had an immediate detrimental impact to the area, causing street-drinkers to gain access to cheap alcohol throughout the day, underage persons gaining access to alcohol (either directly or indirectly) and a huge presence of underage individuals fighting and generally causing a serious nuisance to the good atmosphere that is sought by all. Even if the applicant is not related in any way, the example at the other end of The Strand is testament to the problems that such an offering brings - and highlights an already existing problem.

There is no smoke without fire. A newsagents and off licence is not the most interesting or exciting venue for young persons to "hang out" unless there is an alternative motive for congregating there. I understand that the premises has been instructed to place security to control the problem, however, I have only ever seen this once. Should the same occur here, will similar conditions be enforced?

I have witnessed fighting, regular police presence and general intimidation to the general public from 'patrons' at JC Stores. Quite how any authority could possibly grant a licence to an operator associated with the above actions is beyond belief - if this is of course the case. the committee will have to determine whether a legal distancing of an application is enough to make two venues unrelated.

The application may well be made for 0600hrs until 0200 hours seven days a week with the view to objections being made, and then the operator appearing to capitulate and be reasonable. The truth is that anything past 1800hrs is going to cause a problem with the attitudes currently adopted - indeed by any off-licence. Therefore I would propose that any granting of a licence in a worst case scenario, does not exceed this time.

The Strand is now a space which in the summer is furnished with seating for lots of people by myself and neighbouring businesses. There is a very clear and realistic fear that a twenty hours a day service of alcohol into The Strand from a window is effectively going turn the premises into a service point for misdemeanour either on these seats or in uncontrolled public space in Exmouth. As always, this is about control. Licensed premises currently selling have an obligation of control - a newsagents and off licence has no obligation of control no matter what conditions may have been proposed to reduce the risk of the four licensing objectives.

Already there are problems with street-drinkers, underage drinking, police involvement, fighting and general unpleasantness. The district authority should be seeking to reduce the problem, not exacerbate it further which is why I am urging serious consideration to the granting of this licence.

Specifically addressing the four licensing objectives:
Prevention of crime and disorder - I note the steps the applicant intends to make to address this, however, the majority of steps are to record instances of crime and disorder and for any persons 'suspected' of lots of things. Simple removal of any suspicion by a serving member of staff (whether intentionally or not) renders these conditions ineffective. Not allowing the sale in the first place will make the difference to crime and disorder.

Public safety - whether related to the operator at JC Stores or not, it is clear that there should be a public safety concern from the committee relating to further supply of alcohol directly into The Strand. The space is already very well catered for by operators who have combined on and off licences. An additional off-

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Premises: Moores Newsagents and Convenience Store
28 The Strand, EXMOUTH, Devon, EX8 1AQ.

licence serves no benefit, simply an increase in potential problems.

Prevention of public nuisance - quite possibly the most difficult one to justify is the supply of alcohol to persons from 0600hrs until 0200hrs. For local residents, supplying anything (and not just alcohol) at 0200hrs will cause an inevitable nuisance by definition. The serving hatch already installed suggests that if the premises themselves aren't willing to deal with the potential problems their customers could bring, why should the neighbourhood have to deal with it?

Protection of children from harm - Any new application has no history to be able to justify an argument on this point, however, as the definition of child is under 18 years of age there is the serious potential for service to children, whether directly or indirectly.

Having a licence is a privilege - not a right. Trust is earned by having one as we all know, and at present there should be no trust and there appears to be no requirement for this application being granted in any form.

Yours sincerely

George Nightingale
Director of Hospitality Exmouth Limited & Chair of Exmouth Licensed Victualers Association

Evidence:

Suggestion:
