

## APPENDIX E

### Responses to Notice of Hearing Moores Newsagents, 28 The Strand, Exmouth

#### Applicant

<b>Yoganathan Ramesh</b>	
<b>Hearing Unnecessary</b>	-
<b>Attending</b>	Yes – Mr Yoganathan Ramesh & Mr Frank Fender
<b>Supporting documents</b>	Email received from the applicant's representative: I have instructed Frank Fender from FJF Licensing Consultants to attend the hearing (instead of me) to represent my client. Mr Ramesh will also of course be attending. We'll submit our supporting information/evidence as soon as we can.  Thanks, Ian Ian Rushton JL Licence and Retail
<b>Summary of key points</b>	None

#### Responsible Authority

<b>1.</b>	<b>Devon &amp; Cornwall Police</b>
<b>Hearing Unnecessary</b>	-
<b>Attending</b>	No
<b>Supporting documents</b>	I will not be attending the hearing for the above licence as I have submitted an agreed position.  I recall at a recent hearing for a similar late night off licence on the Strand it was questioned if I had consulted with the Local Police officers in relation to the application, which I had.  In relation to this application, during the consultation period, I contacted both the Local Police Inspector Antonia Weeks and the Neighbourhood Police Sergeant Richard Stonecliffe, I asked for their views and the response I received from Insp Weeks was as follows:-  "Hi Mike No problems – I can't see the shop being open late very often – although he was open on NYE to at least midnight. Big Tesco hasn't been open 24hours since the pandemic so there is market for convenience stores if they want it."  I therefore negotiated an agreed position with the applicant.

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	I submit this in order to assist the Sub-committee should this question once more be asked.  Mike NORSWORTHY Alcohol Licensing Officer (Teignbridge and East Devon)
<b>Summary of key points</b>	None

### Other Persons

<b>1.</b>	<b>Mr Oliver Bainbridge (Grapevine Brewhouse)</b>
<b>Hearing Unnecessary</b>	
<b>Attending</b>	Yes
<b>Supporting documents</b>	None
Summary of key points	<p>Reference the application for a license by the off-license around the corner Ref - 055151. The Police's conditions do not meet my concerns around the impact on the licensing objectives</p> <p>In particular</p> <p><b>Protection of harm to children</b> - his will still enable the buyers of alcohol and children playing in a public place to be brought to gather under one area. We are still in a situation where street drinkers will be encouraged to come to the area as they know there will be alcohol available to them nearly 24hours a day. This in an area frequently used by children is not acceptable. The measure/condition asked for by the police do not change this.</p> <p><b>Public Safety</b> - As a result of the encouragement of street drinking in the area there is likely to be an increase in the negative behaviour of those drinkers. We have already had a death in the Strand, we have had numerous incidents over the summer called in by local businesses. The measure/condition asked for by the police do not change this.</p> <p><b>Prevention of Public nuisance</b> - the improved availability of alcohol on the Strand will of course increase the use of the Strand by street drinking this in-turn will lead to more public nuisance derived from their actions. The measure/condition asked for by the police do not change this.</p> <p><b>Prevention of Crime and Dis-order</b> - The Public Nuisance mentioned above often turns into Crime, normally drug use, abusive behaviour, urinating in public, vandalism etc. The measure/condition asked for by the police do not change this.</p>

<b>2.</b>	<b>Mr George Nightingale (Spoken)</b>
<b>Hearing Unnecessary</b>	No

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<b>Attending</b>	Yes
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<p><b>Prevention of Crime and Disorder</b></p> <ul style="list-style-type: none"> <li>-There is already an issue in The Strand concerning off sale of alcohol – street drinkers and youths (minors)</li> <li>-Situating by a taxi rank serving until 2am!</li> <li>-Police conditions are inadequate and prevent nothing</li> <li>-Glass still able to be dispensed!</li> <li>-CCTV systems will not cover crime sales create</li> <li>-System records problems – does <u>not</u> prevent.</li> </ul> <p><b>Public Safety</b></p> <ul style="list-style-type: none"> <li>-Safety of public at risk with hatch service at all hours – no responsibility on premises</li> <li>-Glass still can be sold – potential weapons &amp; broken bottles when intoxicated persons served (which they will)</li> <li>-To suggest no risks identified is naïve</li> </ul> <p><b>Prevention of Public Nuisance</b></p> <ul style="list-style-type: none"> <li>-2am service of alcohol into town centre does not need explaining (as to why this is bad)</li> <li>-All customers will be unsupervised after sale – zero responsibility.</li> <li>-Litter, drinking &amp; disorder will not be in the premises so any signage is useless – particularly service from hatch.</li> </ul> <p><b>Protection of Children from Harm</b></p> <ul style="list-style-type: none"> <li>-Similar/associated business already serving minors – directly &amp; indirectly</li> <li>-Refusals register will inevitably be empty &amp; supply to minors will still take place as it is already - why allow more?!</li> </ul>

<b>3.</b>	<b>Mr Steve Orchard (Garners Home Hardware)</b>
<b>Hearing Unnecessary</b>	Yes
<b>Attending</b>	No
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<p><b>Prevention of Crime and Disorder</b></p> <p>Selling alcohol until 2am is going to bring people under the influence to this area of the Strand. The chances of public disorder and criminal damage, especially to shop windows will be hugely increased.</p> <p><b>Public Safety</b></p> <p>Innocent members of the public safety will be compromised by entering an area where there will be a combination of street drinkers, late night drunk revellers and homeless – a powder keg combination.</p>

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	<p><b>Prevention of Public Nuisance</b> Having a number of people consuming alcohol in the area or trying to obtain alcohol is a total recipe for fighting, arguing, shouting and being a general nuisance.</p>
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<b>4.</b>	<b>Mrs Lynsey Lowthian (Palm)</b>
<b>Hearing Unnecessary</b>	No
<b>Attending</b>	No – will be represented by George Nightingale Mr Nightingale is a friend as well as a fellow licensee in The Strand. His concerns echo my own.
<b>Supporting documents</b>	None
<b>Summary of key points</b>	<p><b>Prevention of Crime and Disorder</b> The premises is a “newsagent” not a petrol station – a serving hatch from which people can be given alcohol until 2am would encourage drinking into the early hours in The Strand. I am concerned for my glass fronted premises and any outdoor furniture which may be left out overnight.</p> <p><b>Public Safety</b> See below *</p> <p><b>Prevention of Public Nuisance</b> *I am very doubtful that the DPS will risk assess and employ a door supervisor when needed. They were told by licensing that they must employ a door supervisor at their existing shop, however, they did this once and promptly cancelled the door supervisor. There are still issues outside this shop at evenings and weekends.</p> <p><b>Protection of Children from Harm</b> I am doubtful that underage customers will be challenged and/or refused, under age sales are still occurring at the existing shop, witnessed as recent as 19/02/23, which causes issues in The Strand. Children I know who attend Exmouth Comprehensive tell me that the existing shop is well known as a place for their peers to obtain alcohol and vapes. The children are already aware that a second shop is about to open which will double their chances of getting served with alcohol and vapes.</p>

<b>5.</b>	<b>Mr Andrew Humphries</b>
<b>Hearing Unnecessary</b>	NO RESPONSE RECEIVED
<b>Attending</b>	
<b>Supporting documents</b>	
<b>Summary of key points</b>	

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<b>6.</b>	<b>Mr David Weston</b>
<b>Hearing Unnecessary</b>	NO RESPONSE RECEIVED
<b>Attending</b>	
<b>Supporting documents</b>	
<b>Summary of key points</b>	

<b>7.</b>	<b>Mrs Jeanette Weston</b>
<b>Hearing Unnecessary</b>	NO RESPONSE RECEIVED
<b>Attending</b>	
<b>Supporting documents</b>	
<b>Summary of key points</b>	