

# REPRESENTATIONS LIST APPENDIX D

**Application No:** 055461 **Application Date:** 23 March 2023  
**Licence Type:** Premises Licence WITH Alcohol **Licence No:** N/A  
**Application Type:** New Application

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**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

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**Applicant:** Can Do Pub Company Ltd  
The Grapevine Brewhouse, 2 Victoria Road, EXMOUTH, Devon, EX8 1DL.

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**Person making Representation:** Laurie Wood

**Representation Accepted:** Representation has been accepted

**Reason:** Crime & Disorder, Public Safety, Public Nuisance

**Details:**

Dear Sirs

I am a resident of [REDACTED] and live at [REDACTED]

My wife and I strongly object to the proposal to locate a bar at the bottom of this path for the following reasons.

After the recent lockdown, the government advised people to visit their local beach and as a consequence thousands of people descended on Exmouth, many with barbecues and large quantities of alcohol.

Living just above the beach, we hear everything that goes on which isn't normally a problem. Large family gatherings with children screaming and dogs barking is quite the norm and we don't mind that. In fact we like to see people and families enjoying themselves here and know that many visitors come back year after year.

Unfortunately there are those people who get drunk, noisy and abusive and this is what we experienced 2 years ago after covid.

We noticed the police were regularly called out to deal with problems and we heard that several people were arrested.

We never raised a complain but others did.

Debris with empty bottles and cans were strewn about which so of us helped to clean up.

Also there are no toilets close by, the nearest ones are halfway to the lifeboat station.

Inevitably certain people would go into the woodland above Orcombe Point and use this area as a toilet.

Not very pleasant and certainly a public nuisance.

We have been kept awake at night when groups have gathered on the beach and play loud music until the early hours of the morning.

Again we didn't complain or contact the police but there are many elderly folk that live above this beach who really shouldn't be disturbed in this way.

I realise the application is only for short periods of time, but this could set a precedent for the future if it's trialled and considered a success.

This is the quiet end of the beach in Exmouth and there are plenty of other areas of beach where alcohol can be purchased.

This proposal would cause much harm to Exmouth.

Regards

Laurie Wood

**Evidence:**

**Suggestion:**

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**Application No:** 055461

**APPENDIX D**

**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

**Person making Representation:** Nicky Nicholls - Transition Exmouth

**Representation Accepted:** Representation has been accepted

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

**Details:**

Dear Lesley,

Many thanks for raising this with me.

I confirm that I would like the same comments to be considered against application ref 055461 (now that app. ref. 055335 has been withdrawn).

I confirm that my full address is [REDACTED]

With Kind Regards

Nicky Nicholls  
Transition Exmouth

On 24 Mar 2023, 12:36 +0000, Licensing EDDC [REDACTED], wrote:

Good Afternoon

Thank for your submitting your representation to the Orcombe Point Pop up Trailer Bar (application ref: 055335). This particular application has been WITHDRAWN by the applicant. Your objection is therefore no longer valid.

However, the applicant has submitted a new application for the same trailer bar in the same location, on different dates. The application seeks to authorise the sale of alcohol for consumption OFF the premises on Saturday 3rd & Sunday 4th June (instead of the April dates previously proposed).

A link is provided here to our website detailing the list of current applications and includes the conditions offered by the applicant. The Orcombe Point application is near the bottom so please scroll down for full details. The new application ref: 055461.

<https://eastdevon.gov.uk/licensing/alcohol-and-entertainment/premises-licences-and-club-premises-certificates/current-applications-for-premises-licences-and-club-premises-certificates/information-about-current-premises-licence-club-certificate-applications/>

The objection you submitted was in relation to the first application and cannot be considered against the new application for June dates. Therefore, if you wish to submit a new objection you must:

" Respond to my email confirming you wish the same comments (or any alternative or additional comments) to be considered against application ref 055461. Alternatively you may submit an objection in writing. Any representation must related solely to one or more of the licensing objectives.

" Confirm your full address (this is required when a representation is submitted). This can be an address for Transition Exmouth or your own residential address.

The consultation period for the new application starts 24/03/23 and closes 20/04/23. Responses outside of that period cannot be considered.

If you have any questions in relation to the above please do not hesitate to contact me.

Regards  
Lesley Barber  
Licensing Officer

From: Transition Exmouth  
Sent: 17 March 2023 11:01  
To: Licensing EDDC [REDACTED]  
Subject: Objection to Licence Application No. 055335

Dear Sir / Madam,

With reference to the application for "A time limited premises licence to authorise the sale of alcohol from a trailer bar, positioned on the paved area at Orcombe Point, Exmouth on the 22nd and 23rd April". We would like to object to the application request for the following reasons:

The prevention of crime and disorder:

It was evident during lockdown, and throughout the summer months, that alcohol was being heavily used on the beach. Litter picks on days after the sunniest evenings were disgusting. It is crime to drop litter, and it is also a huge issue on beaches as the bottles / cans / cups / associated waste can easily transfer to the ocean. Plastic pollution in our seas is an ongoing fight, and any action to prevent it should be taken. We know that when people are under the influence of alcohol they are less likely to follow rules. This is already an issue which needs to be tackled. Adding a point of sale for alcohol will surely only add to the disorder.

**Application No:** 055461

**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

Public safety and the prevention of public nuisance:

In an environment where people are drinking heavily, there is a risk to the safety of passing public who are using the shared-use path for walking or cycling. Several brawls broke out at the Orcombe Point end of the beach in 2020 and 2021. This is something the town must now allow to be repeated. Adding in a sale-point for alcohol seems exceptionally short-sighted. During the worst evenings of antisocial behaviour in recent summers there has been evidence of many people urinating and defecating in the area. Imagine being the poor volunteer who stumbles across human waste in a burger box during a Sunday morning litter clean. It's just not safe, nor acceptable, and we should be working to decrease alcohol use on the beach, not increase it.

The protection of children from harm:

Although the licence application states an Under 25 proof policy would be in place - the beach is an open environment full of children and teenagers. There are no safeguards to stop older teens / young people buying alcohol on behalf of under age drinkers. Drinking at that end of the beach, away from facilities and very close to the sea with fast currents is surely a dangerous move. Alcohol and sea swimming do not mix well.

As an organisation devoted to concern for our natural environment we would also point out that our beach is a precious space shared with many animals. Noise and light pollution are a real danger to birds and sea creatures. Biodiversity loss must be recognised as a global concern. Ultimately this will harm our children, and our children's children. We need to see ourselves, and our right to be in the natural environment, within the context of a much bigger ecosystem.

Whilst re appreciate that this is an application for one weekend, we feel strongly that this could be used as a test case, and further longer licenses could be applied for / granted.

Yours Sincerely

Nicky Nicholls  
TrEx Chair on behalf of the Transition Exmouth Umbrella Group

**Evidence:**

**Suggestion:**

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**Application No:** 055461

**APPENDIX D**

**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

**Person making Representation:** Debra Jane Quine

**Representation Accepted:** Representation has been accepted

**Reason:** Prevention of Crime & disorder, public nuisance, public safety, protection of children

**Details:**

Daer Lesley,

Please use this email and my previous comments to object to the new application ref : 055461

My address is [REDACTED]

Could I also bring to your attention that the blue notice has been strategically placed at Orcombe Point so that not many people would be likely to view it.

KR Debra Quine

On 24 Mar 2023, at 12:31, Licensing EDDC wrote:

Dear Debra

Thank for your submitting your representation to the Orcombe Point Pop up Trailer Bar (application ref: 055335). This particular application has been WITHDRAWN by the applicant. Your objection is therefore no longer valid.

However, the applicant has submitted a new application for the same trailer bar in the same location, on different dates. The application seeks to authorise the sale of alcohol for consumption OFF the premises on Saturday 3rd & Sunday 4th June (instead of the April dates previously proposed).

A link is provided here to our website detailing the list of current applications and includes the conditions offered by the applicant. The Orcombe Point application is near the bottom so please scroll down for full details. The new application ref: 055461.

<https://eastdevon.gov.uk/licensing/alcohol-and-entertainment/premises-licences-and-club-premises-certificates/current-applications-for-premises-licences-and-club-premises-certificates/information-about-current-premises-licence-club-certificate-applications/>

The objection you submitted was in relation to the first application and cannot be considered against the new application for June dates. Therefore, if you wish to submit a new objection you must:

" Respond to my email confirming you wish the same comments (or any alternative or additional comments) to be considered against application ref 055461. Alternatively you may submit an objection in writing.

" Confirm your full address (this is required when a representation is submitted)

The consultation period for the new application starts 24/03/23 and closes 20/04/23. Responses outside of that period cannot be considered.

If you have any questions in relation to the above please do not hesitate to contact me.

Regards

Lesley Barber

Licensing Officer

From: Toby Quine

Sent: 20 March 2023 08:21

To: Licensing EDDC

Subject: License application number 055335

Dear Licensing,

My name is Debra Quine and I am the director of Bumble and Bee Ltd

I wish to oppose the application for a pop up trailer bar at Orcombe Point on the 22nd and 23rd April, it is my understanding that this is a trial weekend for a further application for a 6 week period over summer.

As a concerned citizen, I have serious reservations about the risks and impact this proposed licensing application would have on the local community and environment.

In accordance with the four licensing objectives of UK licensing law, I would like to highlight the following points to support my opposition:

1. Prevention of Crime and Disorder

There is historical evidence of violence between drunken members of the public in this area. Following the first lockdown we were witnesses and indeed victims of the most awful antisocial behaviour due to the drinking culture down at Orcombe Point.

You will probably remember the widely publicised coming together of huge groups of youngsters who caused huge disruption and indeed destruction along this end of the beach.

Our staff were subjected to awful verbal abuse and at times when violence occurred, we had to close the site up completely.

With this current application there is no control or accountability by the licensee after the sale has been made and the risk of crime and disorder I believe will increase exponentially.

Due to the lack of toilets in this area, Antisocial behaviour through defecation and urination will also pose a serious health risk to the public. Again something we are subjected to every summer.

2. Public Safety

This license will negatively impact public safety.

With no public transport in this area, the increase for possible drink driving could lead to accidents and injuries, harmful to those involved, but also to innocent bystanders in the area.

The proposed location is by a beach, where a high number of children are likely to be present.

The sale of beer to people underage will be significantly higher and with no security to check after the sale has been made, it is likely that beer will be sold and passed to underage drinkers.

Prevention of Public Nuisance

The proposed trailer bar has the potential to increase anti-social behaviour to members of the public.

**Application No:** 055461**Premises:** Orcombe Point pop up bar  
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Once the sale of alcohol has been made from the trailer, there will be no accountability to the licensee for the behaviour of the patrons.

There is a high likelihood of excess littering to the area, including single-use plastic or glass bottles that will be littered and contribute to environmental damage.

The Serving of alcohol often leads to increased noise levels that could disrupt the quality of life of residents and other beach users in the surrounding area.

3. Protection of Children from Harm

The potential for underage children to purchase or be purchased alcohol presents a significant risk to their safety and the well-being.

Underage drinkers could be put at risk of harm from excessive alcohol consumption.

The close proximity to the Sea and Cliffs easily assessable by intoxicated children should be of the utmost concern.

Alcohol consumption can lead to increased rates of violence and crime, which can impact the safety of children in the community

I believe the risks to public safety, health, and our environment are too high, and it is not in the best interests of the community

Granting an alcohol license to Oliver Bainbridge would not be in line with the four objectives of the UK licensing law.

I urge you to carefully consider the impact this license could have on the community and to deny the application.

Thank you for your time and for considering my objections to this application.

Kind Regards

Debra Quine

Director

Bumble and Bee Group

**Evidence:****Suggestion:****Person making Representation:** Exmouth Town Council

Exmouth Town Hall, First Floor, St Andrews Road, EXMOUTH, Devon, EX8 1

**Representation Accepted:** Representation has been accepted**Reason:**

Prevention of Crime &amp; disorder, public nuisance, public safety, protection of children

**Details:**

Dear Licensing

Exmouth Town Council objects to the above application under the licensing objectives outline below.

The prevention of crime and disorder

There is well documented evidence of anti-social behaviour at Orcombe Point in recent years which has resulted in the PSPO being extended to include the seafront. Exmouth Town Council was also asked to deploy a mobile CCTV camera in the vicinity of the proposed licensable area by the police and County Councillor Christine Channon to try and deter the prolific anti-social behaviour in the area when the social distancing measures associated with the pandemic were first relaxed.

Public Safety

Concern was raised regarding public safety with alcohol being consumed in a beach environment and the associated water safety implications.

Prevention of public nuisance

The area already has a history of problems concerning public urination and defecation. The consumption of alcohol could give rise to anti-social behaviour in what is supposed to be a family friendly area.

Protection of children from harm

Concern was raised regarding the monitoring of alcohol purchased on behalf of a minor from a location by the sea without a fixed premises.

Lisa Bowman

Town Clerk

**Evidence:****Suggestion:**

**Application No:** 055461

**APPENDIX D**

**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

**Person making Representation:** Robert Kathro

**Representation Accepted:** Representation has been accepted

**Reason:** Prevention of Crime & disorder, public nuisance, public safety, protection of children

**Details:**

Dear Ms. Barber,

Please consider my original objection to application no. 055335 as below to now be considered in relation to application no. 055461 for 3rd and 4th June at Orcombe Point.

Best regards,

Robert Kathro

On Fri, 24 Mar 2023 at 12:42, Licensing EDDC wrote:  
Dear Mr Kathro

Thank for your submitting your representation to the Orcombe Point Pop up Trailer Bar (application ref: 055335). This particular application has been WITHDRAWN by the applicant. Your objection is therefore no longer valid.

However, the applicant has submitted a new application for the same trailer bar in the same location, on different dates. The application seeks to authorise the sale of alcohol for consumption OFF the premises on Saturday 3rd & Sunday 4th June (instead of the April dates previously proposed).

A link is provided here to our website detailing the list of current applications and includes the conditions offered by the applicant. The Orcombe Point application is near the bottom so please scroll down for full details. The new application ref: 055461.

<https://eastdevon.gov.uk/licensing/alcohol-and-entertainment/premises-licences-and-club-premises-certificates/current-applications-for-premises-licences-and-club-premises-certificates/information-about-current-premises-licence-club-certificate-applications/>

The objection you submitted was in relation to the first application and cannot be considered against the new application for June dates. Therefore, if you wish to submit a new objection you must:

" Respond to my email confirming you wish the same comments (or any alternative or additional comments) to be considered against application ref 055461. Alternatively you may submit an objection in writing.

" Confirm your full address (this is required when a representation is submitted)

The consultation period for the new application starts 24/03/23 and closes 20/04/23. Responses outside of that period cannot be considered.

If you have any questions in relation to the above please do not hesitate to contact me.

Regards  
Lesley Barber  
Licensing Officer

From: Robert Kathro  
Sent: 21 March 2023 10:36  
To: Licensing EDDC  
Subject: Licensing Ref No. 055335 Orcombe - REPRESENTATION

Dear EDDC licensing authority,  
REPRESENTATION  
I object strongly to the application below:  
Ref No. 055335 AND NOW 055461.  
Premises: Orcombe Point pop up bar, Orcombe Point, Marine Drive, EXMOUTH, Devon  
Ward: Exmouth Littleham  
Name of Applicant: Can Do Pub Company Ltd (trading as Crossed Anchors Brewing of the Grapevine Brewhouse, Exmouth)  
TIME LIMITED Premises Licence Application for Saturday 22nd April & Sunday 23rd April ONLY NEW DATES 3RD 4TH JUNE

I have referenced my comments using the four licensing headings as follows:

- " the prevention of crime and disorder - noted below as 1
- " public safety - noted below as 2
- " the prevention of public nuisance - noted below as 3
- " the protection of children from harm - noted below as 4

Whilst it is true that some of the problems highlighted below occur without the proposed

Premises: Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

pop up bar, the bar and the attraction it generates with increased footfall to get a drink or worse will result in a very significant increase in the behaviours that we already witness daily, mostly between April and September. Please don't permit further deterioration of our lovely Town.

I, my wife and many other residents have witnessed a growing number of disorder offences at the Orcombe Point location and surrounding areas including the zig zag path, Foxholes Hill and the Donkey Field, both before, during and since lockdown in 2018,19,20,21 and 22. I expect 2023 to be no different. Some of these have been reported widely in local and national media. A search using 'anti social behaviour Exmouth beach' will find several pages of evidence. We witnessed the Police being abused verbally on one occasion.

These offences have included but are not limited to:

Urination in public - with genitals on full display (yes really), both sexes, on the zig zag path in front of me and my wife and on the Donkey Field - multiple times per week and over a number of years. (ref above headings: 1,2,3). The path smells of urine on hot days and the wooden benches are often running with urine which trickles across the path.

Defecation in the public spaces and gardens - on the coastal path, on the Donkey Field and on the zig zag path, (1,2,3). On multiple occasions.

Abuse both verbal and threatening, when the offenders are challenged, leading to calling the Police. This behaviour makes the area unpleasant to venture into, some residents have told me that they don't visit when it is busy because of this. (1,3)

Alcohol and drug consumption on the highway, beach, Foxholes Hill, Donkey Field and promenade with broken bottles and glass in the sand, and other (plastic) rubbish strewn around, (1,2,3)

We already have alcohol and drugs brought to the area causing problems, this application if approved will increase the ease with which alcohol can be obtained by a very large margin.

Barbeques on the beach with open fires (not permitted under EDDC regulations) with part burnt wood up to 4" x 2" and 3 ft long left on the sand, sometime still hot in the morning. Charcoal across the entire beach. Fuel to light fires brought to the beach in cans (witnessed). Burnt EDDC rubbish bins.(1,2,3)

Motor vehicles parked on the pedestrian area at the foot of the zig zag path, with cannabis, laughing gas and alcohol being consumed. Rubber tire marks, high RPM and in one instance an accident where a quad bike which was 'drifting' around the flag poles overturned - I witnessed this.(1,2,3)

Very loud music, fireworks and other loud noise in the early hours. (3)

Camping overnight on the beach (and at the higher land of Orcombe and Donkey Field) in tents with fires and music - camping is not permitted on the beach nor the Donkey Field under EDDC regulations) (3)

Camping overnight in cars and vans on the highway at this location - Marine Drive and the pedestrian area. Camping overnight and barbeques on the Donkey Field and pavement at Foxholes Hill (3)

Anti social behaviour at Orcombe, Higher at Orcombe and the surrounding area including the zig zag path, Foxholes Hill and the Donkey Field, late at night and early hours as people depart on foot and by car sometimes at high speed and with astounding levels of engine noise, skidding, donuts and similar as well as generally 'partying' in the street whilst clearly under the influence of something. Driving and alcohol do not mix and yet there is no way for people to safely leave by bus. (1,2,3)

The licence application does not set out how alcohol will be prevented from being purchased by an adult and then passed to an underage drinker nor how the distribution of alcohol across the area and any resulting problems and litter will be identified and managed. Apart from the obvious risks this presents, the secondary risks of accidents on the rocks or in the sea resulting from intoxicated people, including children is significant. In addition, users of motorised water craft will be able to purchase alcohol and then return to their craft and operate them, potentially whilst intoxicated and among swimmers and other water users. (1,2,3,4)

There is already a PSPO in force in the area and consideration has been given to adding alcohol consumption to the PSPO as it is in other areas in the town. This extra restriction has been discussed as a result of alcohol induced anti social behaviour further along the beach - this is a clear indication of the likely problems that will emerge if this application is approved.

If the application is approved, most or all of the above problems will manifest themselves leading to a serious impact on the attractiveness and enjoyment of the town for visitors and residents alike and detracting from the image that Exmouth should be seeking to project.

When the problems occur there will be increased demand on the Police and other emergency services (NHS, RNLI) which are overstretched, plus EDDC and DCC council services and officers across a range of departments including traffic, health and safety, environmental, noise.

All of the above would take place if the application is approved so that a private business can sell more alcohol - at what cost financial, environmental, well being - all to be borne by the taxpayer and residents? I request that this application is rejected for the reasons stated above.

In addition I understand that there may be an additional application planned for later in the year for the same bar in the same location for a longer period, this too should be rejected if it is made.

yours faithfully,  
Robert Kathro

[Redacted signature]

Evidence:

Suggestion:

**Application No:** 055461

**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.

**Person making Representation:** Robert Cooper  
[REDACTED]

**Representation Accepted:** Representation has been accepted

**Reason:** Public Nuisance

**Details:**

Representation:- I am objecting to licensing application ref: 055461 and suggest the applicants submit a new application which would be acceptable and a positive event. It is the location which is the problem. Basically what goes in must come out !

There are no toilets at Orcombe point and the nearest ones are more than a quarter of a mile away and so there will be antisocial behaviour being a public nuisance as it will lead to people urinating at the bends of the zig zag path making the path very unpleasant for other people both during urination and after - as has happened due to other events at this location. The location is a known risk area for antisocial behaviour - it is of note the top of the zig zag path at Orcombe Point needed CCTV cameras during lockdown.

Having the public nuisance of adults urinating along a public path at that time of day will also be a harmful situation for children and arguably urinating in public is a criminal offence.

If the applicants reapply by locating it near the public toilets at the other end of Queens Drive - this should be a positive activity for Exmouth over the 2 days which I would support - and indeed partake in.

Mr R Cooper  
[REDACTED]

**Evidence:**

**Suggestion:**

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**Application No:** 055461**Premises:** Orcombe Point pop up bar  
Orcombe Point, Marine Drive, EXMOUTH, Devon.**Person making Representation:** Beach Safety Officer-EDDC-Peter Blyth**Representation Accepted:** Representation has been accepted**Reason:** Public Safety, Crime & Disorder and Children from Harm**Details:** Representation of ref number - Ref No. 055461

On behalf of Peter Blyth, East Devon District Council, [REDACTED]

**Promotion of public safety**

According to the Royal Life Saving Society research, amongst those age 16-25 who lost their lives to accidental drowning, 45% were under the influence of alcohol at the time. As well as impairing judgement, leading to bad decisions, alcohol also has a physiological effect that slows reactions, numbs senses, and impairs muscle movements. Therefore introducing the service of alcohol into the main swimming area of the beach is highly irresponsible, and would be indefensible in a coroners court if the worst were to occur. In this case the impact is worsened since it is anticipated that service would go on to 19:00 when lifeguards stop operating between 17:00-18:00. If the decision is taken to allow this licence I would strongly recommend that hours are reduced to the 18:00 threshold or that the operator makes a contribution to the cost of lifeguarding to allow their extension to 19:00

**Promotion of public safety and prevention of crime and disorder**

Following scenes in 2020 after the first lockdown, when this usually family friendly area was invaded by large groups consuming large amounts of alcohol. A Public Space Protection Order was put in place, which prohibits the consumption of alcohol in this area. By introducing the service of alcohol in this area is completely incompatible with this. The nationally reported social disorder that followed (Devon beach mass fights break out for second night - BBC News) demonstrates clearly why the service of alcohol in this area should not be allowed, in order to protect the safety of the normal beach user. The vast majority of users of this area arrive by car. The service of alcohol will both lead to drink driving and exacerbate the problems we already experience with antisocial driving in the evening in this area

**Protection of children from harm**

As well as being impacted by the potential behaviour of those under the influence, by witnessing public urination and potentially sexual behaviour. Children will also be significantly impacted by alcohol associated rubbish, cans, broken plastic glasses etc. There is also a risk associated with beach fires and BBQs, which will be raised by the consumption of alcohol. If the Licence is granted, we would like to see a detailed area plan of where the staff are going to litter pick and sweep. We would like to see this 'During the hours of operation of the trailer, sufficient measures will be taken to remove and prevent litter and waste arising or accumulating from customers in the area immediately outside the trailer.' Extended to the beach, where people are more than likely to take their drinks.

Kind regards

Caitlin

Caitlin Davey  
Events Officer  
East Devon District Council

Switchboard: 01404 515616 [REDACTED]

**Evidence:****Suggestion:**