

Name: Mr Robbie Sillars

Address:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Date: 05/06/2023

## LICENSING ACT 2003

### NOTICE OF HEARING BEFORE A LICENSING SUB-COMMITTEE

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Application Number: 055718

Application: Premises Licence WITH Alcohol New Application

By: Budleigh Salterton Cricket Club Ltd

Of NSG Financials Ltd, Old School House, Church Road, Colaton Raleigh, ,

Re: Budleigh Salterton Cricket Club, East Budleigh Road, BUDLEIGH SALTERTON, Devon, EX9 7BA,

TAKE NOTICE that the hearing of this application will be heard by a Licensing Sub-Committee at Blackdown House, Honiton

AT: 11.00am

ON: Wednesday 21 June 2023

[REDACTED]

Mark Williams  
Chief Executive  
East Devon Licensing Authority

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**N.B. YOU ARE LEGALLY REQUIRED TO RESPOND TO THIS NOTICE.**

Please turn to page 2 which explains how and by when you must respond.

## YOUR RESPONSE TO NOTICE OF HEARING

You are required by Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 to give the Strategic Lead - Governance and Licensing a notice: -

- a) stating whether you intend to attend and/or be represented at the hearing;
- b) stating whether you consider a hearing to be unnecessary;
- c) requesting permission if you wish any other person to appear at the hearing, (e.g. as a witness) stating that person's name and giving a brief description of the point(s) on which that person may be able to assist the licensing sub-committee in relation to your application, representations or objection (as applicable)
- d) enclosing any documents on which you seek to rely to support the representations already made. A summary of the key points on which you seek to rely in making your case should be included.

### YOU MUST SEND THIS INFORMATION TO:

Strategic Lead - Governance and Licensing  
Attn Licensing Manager  
East Devon District Council,  
Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, Devon, EX14 1EJ

Tel: 01404 515616  
E-mail: [licensing@eastdevon.gov.uk](mailto:licensing@eastdevon.gov.uk)

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will have any difficulty in attending.

### YOUR WRITTEN RESPONSE MUST ARRIVE AT THE COUNCIL OFFICES NO LATER THAN:

**15/06/2023**

**LATE RESPONSES CAN ONLY BE CONSIDERED AT THE HEARING IF ALL THE OTHER PARTIES AGREE**

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### Key Information for all parties about the hearing:

1. You have the right to be represented at the hearing by another person, whether that person is legally qualified or not. (Please note that the Licensing Sub-committee has no power to order one party to pay another party's costs whatever the outcome of the hearing).
2. If the Chairman gives permission you may question other parties.
3. You will have the opportunity to address the authority about your application, representation or objection, subject to any maximum time limit imposed by the sub-committee. The time allowed will normally be a maximum of ten minutes.

4. If you do not attend or are not represented at the hearing, then the sub-committee may decide to make its decision on the application in your absence, taking into account any written representations or objections you have made and your Response to this Notice of Hearing.
5. If the Licensing Authority require clarification of any matters at the hearing a separate note will be attached to this notice.
6. If you wish to withdraw any representations you have made, you may do so by writing to the address given in this notice no later than 24 hours before the hearing is due to start, or by attending the hearing and saying so.
7. A copy of the Licensing Authority's hearing procedure is attached for your information.

Where general representations have been made relating to disorder, nuisance safety further clarification should be provided where available - for example evidence to support the representation.



To: Strategic Lead - Governance and Licensing  
Attn Licensing Manager  
East Devon District Council  
Blackdown House  
Border Road  
Heathpark Industrial Estate  
Honiton  
EX14 1EJ



## RESPONSE TO NOTICE OF HEARING

I refer to your notice of hearing dated 5 June 2023 relating to the following application:

Application Number: **055718**


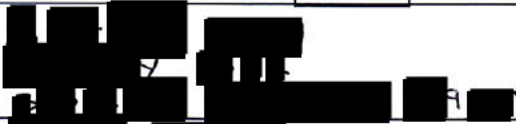

Application: **Premises Licence WITH Alcohol New Application**

By: **Budleigh Salterton Cricket Club Ltd**

Of **NSG Financials Ltd, Old School House, Church Road, Colaton Raleigh, ,**

Re: **Budleigh Salterton Cricket Club, East Budleigh Road, BUDLEIGH SALTERTON, Devon, EX9 7BA,**

Under Regulation 8 of The Licensing Act 2003 (Hearings) Regulations 2005 I give you notice that: -

|   |   | (Tick as appropriate) | Yes   | No                                  |
|---|---|-----------------------|---|-------------------------------------|
| I consider this hearing to be unnecessary   |   |                       | <input type="checkbox"/>  | <input checked="" type="checkbox"/> |
| I intend to attend the hearing  |   |                       | <input checked="" type="checkbox"/>   | <input type="checkbox"/>            |
| I intend to be represented at the hearing by:   |   |                       |   |                                     |
| Please see note below<br>(Please give details of the person's name and address in this box)   |   |                       |   |                                     |
| I am requesting permission for the below named person(s) to appear at the hearing, (e.g. as a witness)  |   |                       |   |                                     |
| Name and address  |   |                       |   |                                     |
| Please explain how this person will be able to assist the Licensing Sub-Committee:  |   |                       |   |                                     |
| I enclose the following documents to support my original representations:   |   |                       |   |                                     |
| 1. MAP SHOWING LOCATION OF 3 OTTERS REACH AND CRICKET CLUB PAVILION<br>2. PROPOSED COMBINED PLAN - 2187471 - REVISED PAVILION<br>3. PROPOSED SITE PLAN - 2187470 - REVISED PAVILION<br>4. PROPOSED COMBINED PLANS - 1298451 - ORIGINAL PAVILION<br>5. PROPOSED SITE PLAN - 1073364 - ORIGINAL PAVILION<br>6. COMMENTS RECEIVED (S) IN RESULT OF THE VARIATION OF PLANNING 22/0492/VAR<br>(Please list them) 7. OLD PREMISES - CLUB PREMISES CERTIFICATE CPWA0101<br>8. OLD PREMISES - PREMISES LICENCE PLWA0797 (Tick as appropriate) |   |                       |   |                                     |
| I also enclose a summary of the key points on which I seek to rely in supporting my <del>*application, *representation or *objection I have already made</del> (*Delete as applicable). You are invited to use the attached form marked 'Summary of Key Points' for this task.  |   |                       | <input checked="" type="checkbox"/>   | <input type="checkbox"/>            |
| Your Signature:   |  | Your Address:         |  |                                     |
| Name:   | ROBBIE SILLARS  | Tel No & Email:       |  |                                     |

Note: - Where there are a large number of similar representations local residents may wish to consider appointing a spokesperson on their behalf.

**YOU MUST RETURN THIS NOTICE PROPERLY COMPLETED TO:**

Governance and Licensing  
 Attn. Licensing Manager  
 East Devon District Council,  
 Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ

Tel:01404 515616  
 E-mail: licensing@eastdevon.gov.uk

Please notify the licensing authority if you have any special needs or requirements for the hearing or if you will

have any difficulty in attending.

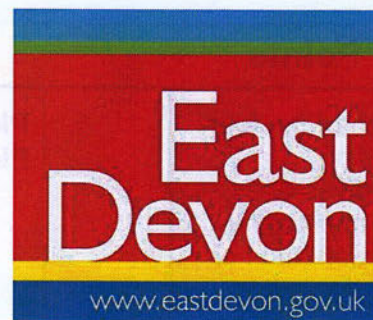
**YOUR WRITTEN RESPONSE MUST ARRIVE AT THE COUNCIL OFFICES NO LATER THAN:**

**15/06/2023**

**LATE RESPONSES CAN ONLY BE CONSIDERED AT THE HEARING IF ALL THE OTHER PARTIES AGREE**



Strategic Lead - Governance and Licensing  
 Attn Licensing Manager  
 East Devon District Council  
 Blackdown House  
 Border Road  
 Heathpark Industrial Estate  
 Honiton EX14 1EJ



**SUMMARY OF KEY POINTS**

These are the key points I rely on to support my *application, representation or objection* (\*delete as applicable).

Application Number: **055718**

Application: **Premises Licence WITH Alcohol New Application**




By: **Budleigh Salterton Cricket Club Ltd**

Of: **NSG Financials Ltd, Old School House, Church Road, Colaton Raleigh, ,**

Re: **Budleigh Salterton Cricket Club, East Budleigh Road, BUDLEIGH SALTERTON, Devon, EX9 7BA,**

|   |   |
|---|---|
| <p>Prevention of public nuisance</p> <p><input checked="" type="checkbox"/></p> | <p>Prevention of public nuisance</p>  |
| <p>Protection of children from harm</p> <p><input type="checkbox"/></p>         | <p>Protection of children from harm</p>   |
| <p>Your address</p> <p>BUDLEIGH SALTERTON<br/>       EX9 7BA</p>                | <p>Your signature</p> <p><i>[Signature]</i></p> <p>Your name and email</p> <p>BOB SWAN<br/>       bob@budleighsalterton.com</p> |

## Key Points

|   |   |  |
|---|---|--|
| Which of the four licensing objectives does your <i>application, representation or objection</i> relate |   | Please enter a summary of your key points in the table below.<br>Please use an additional page if necessary  |
| Prevention of crime and disorder  | <input type="checkbox"/>  |  |
| Public Safety   | <input type="checkbox"/>  |  |
| Prevention of public nuisance   | <input checked="" type="checkbox"/>   | GENERATION AND PROPAGATION OF NOISE DUE TO LIVE AND RECORDED MUSIC, EXCESSIVELY LONG OPENING HOURS, DESIGN OF THE PAVILION. NOISE GENERATED AS MEMBERS + GUESTS LEAVE THE CLUBHOUSE, MEANS TO BE PROVIDED TO ALLEVIATE EXCESSIVE LOUD NOISE BY INTERVENTION, EVERYONEAL CUT-OFFS OR SIMILAR. |
| Protection of children from harm  | <input type="checkbox"/>  |  |
| Your signature:   |                    | Your address:  |
| Your name and email   | ROBBIE SILLARS<br> |    |



## **Additional Conditions**

### **ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

#### **Embedded Conditions Consistent with the Licensing Act 1964**

1. The permitted hours to sell alcohol on this licence do not prohibit or restrict on the licensed premises the sale or supply to, or consumption of alcohol by, any person residing on the premises.
2. All licensable activities authorised by this licence except for entertainment of a similar description to that falling within activities E, F & G may take place in the areas coloured **PINK** on plan 04059-LP deposited with and approved by the Licensing Authority. The provision of facilities for making music (I) is confined to the **BAR AREA** within the club house.
3. The regulated entertainment activities listed below and authorised by this licence may take place within the areas shown outlined in **RED** on plan 04509 as deposited with and approved by the Licensing Authority. These activities are:
  - a) Performance of live music (E)
  - b) Playing of recorded music (F)
  - c) Performance of dance (G)
  - d) Entertainment of a similar description to that falling within activities E, F & G - *note this activity is only authorised outdoors*
  - e) Provision of facilities for dancing (J)

**Note:** The Premises certificate does not permit 'Off' sales and therefore alcohol purchased/supplied by virtue of the Club Premise Certificate can not be taken out of the area outlined in **RED** on the plan numbered 04509 which accompanies the certificate.

### **ANNEXE 3 - CONDITIONS ATTACHED FOLLOWING A HEARING BY THE LICENSING AUTHORITY**

1. *No licensable activity will take place at the club between 1 November and 31 March annually.*
2. The Club Committee will have regular contact with the Police and Licensing Authority.
3. The Club Committee will monitor the behaviour of members and guests.
4. The fire safety measures with which the premises are provided will be maintained in good working order, and their adequacy will be determined on a regular basis, by the carrying out of a fire risk assessment as required by, and in accordance with the Fire Precautions (Workplace) Regulations.
5. Suitable signage at the exit to request the co-operation, of patrons in particular, to be as quiet as possible when leaving the premises.
6. The handling of beer kegs, bottles and other similar items will not take place in the late evening, at night or during the early morning, when the noise generated could cause a nuisance particularly outside buildings.
7. The Club Committee will appoint a Welfare Officer.
8. When events involving amplified music and speech take place inside the premises, all external doors and windows will remain closed other than for access and egress.
9. A senior member of staff (manager) will assess the impact of any noisy activities on neighbouring residential premises at the start of the activity/entertainment and periodically throughout the activity/entertainment.
10. Irresponsible drinks promotions will not be permitted, and the Standards for the Management of Standard Drinks Promotions produced by the British Beer and Pub Association will be complied with.

11. Only plastic or toughened glasses or plastic bottles will be permitted to be taken outside the clubhouse or on to the raised timber deck.
12. Amplified commentary is to be restricted to 6 occasions per year.
13. Stewards should be provided at the end of each late night entertainment to ensure the orderly departure of members and guests.

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# East Devon District Council

Licensing » Home » Licensing Act Premises Search » Detail » **Application**

Licensing Act 2003 - Premises Licence Register as at 14:34 on  
12 June 2023

## Budleigh Salterton Cricket Club - OLD PREMISES

Ottermouth Ground, Granary Lane, BUDLEIGH SALTERTON, Devon, EX9 6HA

**Premises Licence PLWA0797 from from 22/08/2018 to indefinite**

### Licence holder(s)

|                   |   |
|-------------------|---|
| <b>Full Name:</b> | Budleigh Salterton Cricket Club Limited |
|-------------------|---|

### Designated Premises Supervisor

|                   |                 |
|-------------------|-----------------|
| <b>Full Name:</b> | Mr Jack England |
|-------------------|-----------------|

### Permitted Activities

- any playing of recorded music
- a performance of dance
- the supply of alcohol
- a performance of live music

### Premises Open Hours Granted

|                  | <b>Time From</b> | <b>Time To</b> |  |
|------------------|------------------|----------------|--|
| Monday to Sunday | 08:00            | 01:00          | Club will close between 31 October and 31 March each year. |

### Activities - Times Granted

|   | <b>Time From</b> | <b>Time To</b> |   |
|---|------------------|----------------|---|
| <b>E. Performance of live music (Indoors)</b> |                  |                |   |
| Friday & Saturday                             | 19:00            | 23:00          | Restricted to a maximum of six one day events per year held either on a Friday, Saturday or a Sunday proceeding a Bank Holiday. |
| Sunday Preceding Bank Holiday                 | 19:00            | 23:00          | Restricted to a maximum of six one day events per year held either on a Friday, Saturday or a Sunday proceeding a Bank Holiday. |

### F. Playing of recorded music (Indoors & Outdoors)

|                  |       |       |
|------------------|-------|-------|
| Monday to Sunday | 09:00 | 23:00 |
|------------------|-------|-------|

### G. Performance of dance (Indoors & Outdoors)

|                  |       |       |
|------------------|-------|-------|
| Monday to Sunday | 19:00 | 00:00 |
|------------------|-------|-------|

### J. Supply of alcohol for consumption ON and OFF the premises

|                  |       |       |
|------------------|-------|-------|
| Monday to Sunday | 11:00 | 00:30 |
|------------------|-------|-------|



### ANNEXE 1 - MANDATORY CONDITIONS

1.
  - (a) There shall be no sale or supply of alcohol when there is no designated premises supervisor in respect of this premises licence or *at a time when the said premises supervisor does not hold a personal licence or when his/her licence is suspended.*
  - (b) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
2.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or *glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;*
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
5.
  - (a) The responsible person must ensure that-
    - where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply



in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that *these measures are available.*"

6. (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

(2) For the purposes of the condition set out in paragraph 7(1) -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

where-

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a *supply of alcohol under such a licence*;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



## **ANNEXE 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

1. Budleigh Salterton Cricket Club will be run as a members club and will comply with the rules of the club.
2. Alcohol will be supplied to club members and to members of the public at the discretion of the committee.
3. The licence will be restricted to 1 April to 31 October each year.
4. Live music inside the premises to be restricted to six one day events per annum within the restricted opening hours of the club between 1<sup>st</sup> April and 30<sup>th</sup> September (these events can only take place on a Friday, Saturday or a day proceeding a bank holiday with at least two weeks in between for respite).
5. Recorded music inside and outside the premises to be controlled by a noise limiter set to the satisfaction of an *Environmental Health Officer*.
6. Consumption of alcohol to be restricted to the cricket field as per the legend on the plan submitted to and agreed with the Licensing Authority.
7. The club will ensure that all staff are aware of their social and legal obligations and their responsibilities regarding the sale of alcohol.
8. Training records will be retained for at least 12 months and will be made available for inspection by officers of both the Licensing Authority and the Police.
9. An incident book will be maintained within which full details of all occurrences of disorder and refused alcohol sales at the premises will be recorded. The incident book will be kept on the premises at all times and will be made available for inspection by officers of both the Licensing Authority and the Police.
10. The premises will adopt a Challenge 21 policy. The only acceptable forms of ID will be Passport, Photo driving licence or Government approved PASS card.

## **ANNEXE 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None

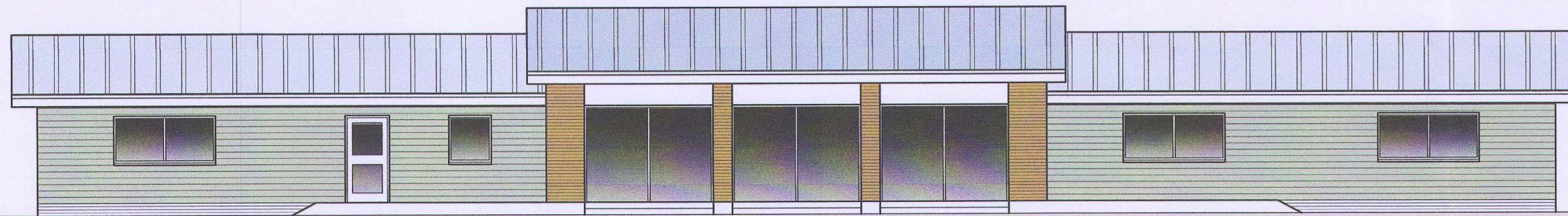
## **ANNEXE 4 - PLAN APPROVED BY THE LICENSING AUTHORITY**

The licensable activities authorised by this licence will be confined to the areas that are outlined in **RED** on the plans submitted to and approved by the Licensing Authority.

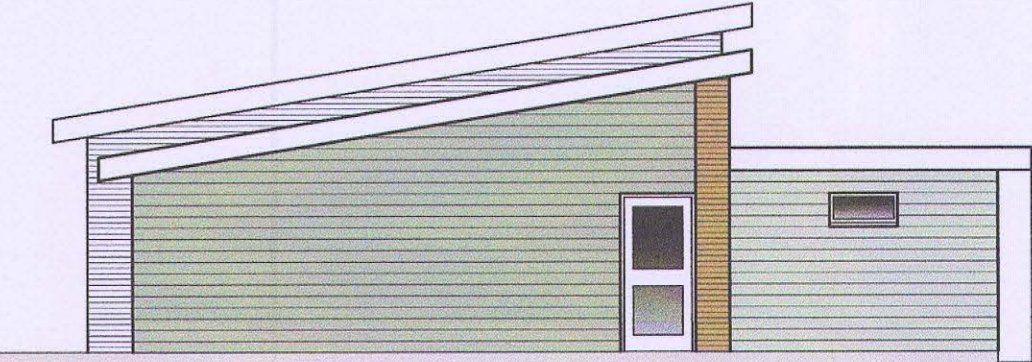


| REV | DATE     |
|-----|----------|
| A   | 05/08/19 |

Scale bar added



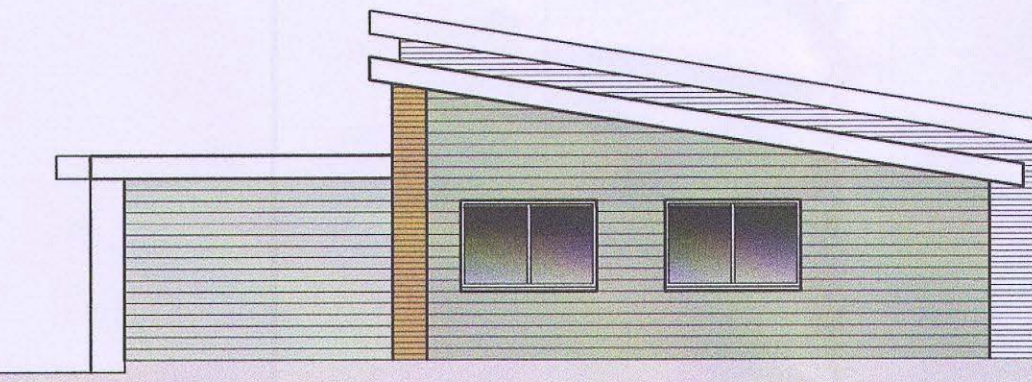
CRICKET FIELD (NORTH EAST) ELEVATION



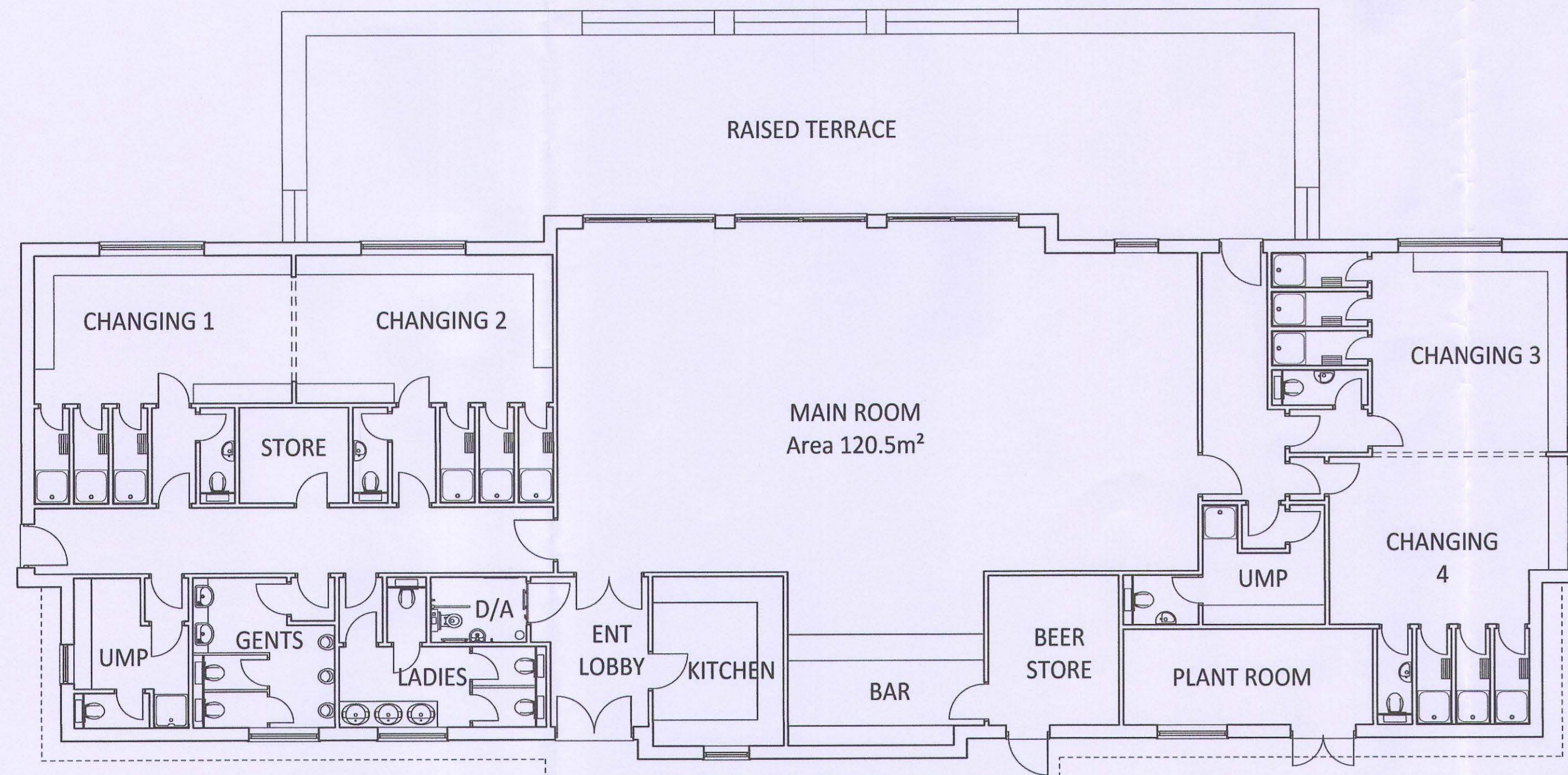
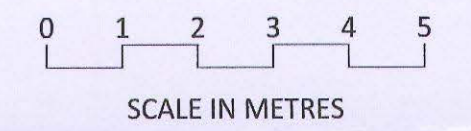
NORTH WEST ELEVATION



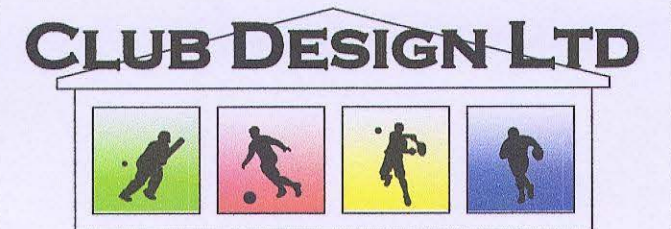
ENTRANCE (SOUTH WEST) ELEVATION



JUNIOR CRICKET FIELD (SOUTH EAST) ELEVATION



CLUBHOUSE G.I.A. 385.4m<sup>2</sup>



CLIENT  
BUDLEIGH SALTERTON  
CRICKET CLUB

PROJECT  
PROPOSED NEW FACILITIES

DRAWING  
PROPOSED CLUBHOUSE  
PLAN & ELEVATIONS

Proposed Combined Plans - 19/1521/MFUL

1087-024 rev A - 07/08/2019

19/1521/MFUL

|  |      |      |      |
|--|------|------|------|
| EAST DEVON DISTRICT COUNCIL<br>ECONOMY |      |      |      |
| 7 AUG 2019                             |      |      |      |
| ACK                                    | CIRC | SEEN | FILE |

|                            |                  |
|----------------------------|------------------|
| DRAWING NUMBER<br>1087-024 | REV<br>A         |
| SCALE@A1<br>1:100          | DATE<br>FEB 2019 |
| AUTHOR<br>RB               | STATUS<br>INFO   |

SPORTS FACILITIES DESIGNERS  
CHARTERED ARCHITECTS  
PROJECT MANAGERS

**CLUB DESIGN LTD**

Silverlea, Wyche Lane, Bunbury, Cheshire, CW6 9PD  
Tel: 01706 632600 Fax: 01829 261393  
E-mail: name@clubdesign.net  
Web: www.clubdesign.net

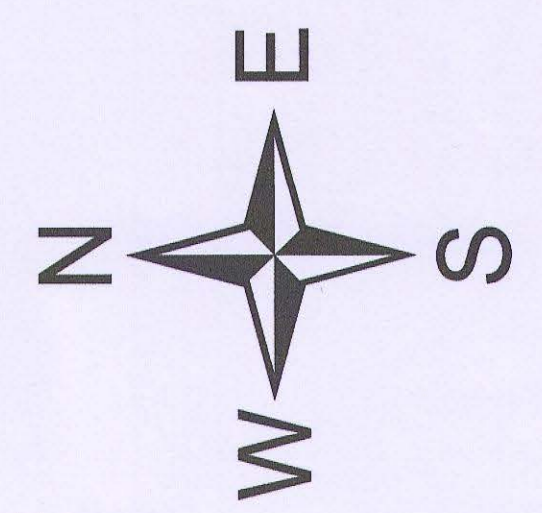
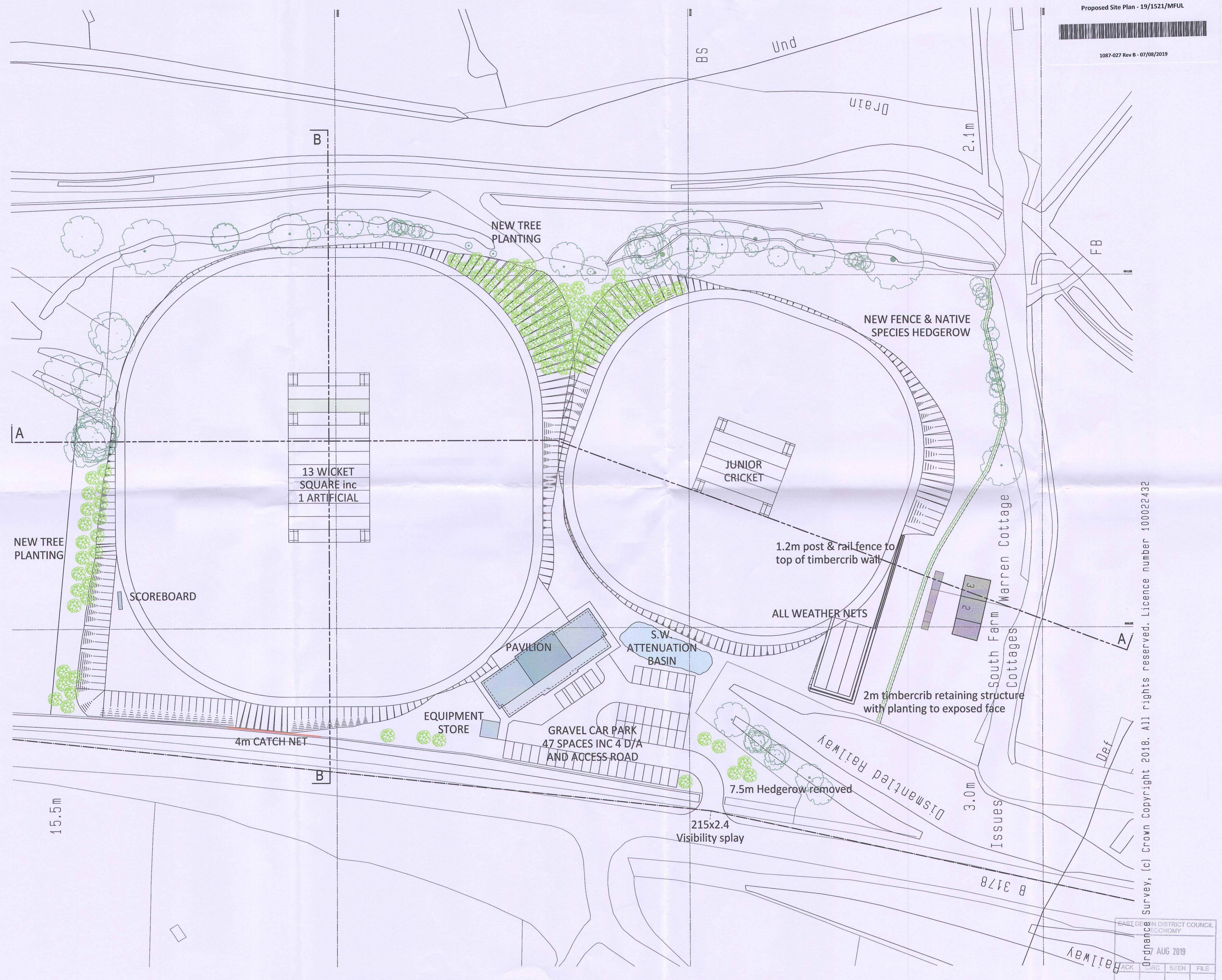


| REV | DATE   |
|-----|--|
| A   | Nets adjusted 16/07/19                                 |
| B   | Nets adjusted with timbercrib retaining wall. 05/08/19 |

Proposed Site Plan - 19/1521/MFUL

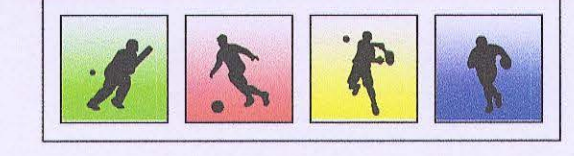


1087-027 Rev B - 07/08/2019



0 5 10 15 20 25  
SCALE IN METRES

**CLUB DESIGN LTD**



19/1521/MFUL

CLIENT  
BUDLEIGH SALTERTON  
CRICKET CLUB

PROJECT  
PROPOSED NEW FACILITIES

DRAWING  
SITE PLAN AS PROPOSED

|                            |                   |
|----------------------------|-------------------|
| DRAWING NUMBER<br>1087-027 | REV<br>B          |
| SCALE@A1<br>1:500          | DATE<br>JULY 2019 |
| AUTHOR<br>RB               | STATUS<br>INFO    |

SPORTS FACILITIES DESIGNERS  
CHARTERED ARCHITECTS  
PROJECT MANAGERS

**CLUB DESIGN LTD**

Silverlea, Wyche Lane, Bunbury, Cheshire, CW6 9PD  
Tel: 01706 632600 Fax: 01829 261393  
E-mail: name@clubdesign.net  
Web: www.clubdesign.net

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| BACK | CIRC | SEEN | FILE |
|------|------|------|------|
|      |      |      |      |

EAST DEIN DISTRICT COUNCIL  
ECONOMY  
7 AUG 2019