

East Devon District Council  
 Blackdown House  
 Border Road  
 Heathpark Industrial Estate  
 Honiton  
 EX14 1EJ  
 DX 48808 Honiton  
 Tel: 01404 515616



## Licensing Act 2003 Premises Licence

# PLWA0877

**East Devon District Council** has granted this Premises Licence in accordance with the Licensing Act 2003. The licence authorises the identified premises to accommodate the licensable activities set out in the document and the plan deposited with and approved by the Licensing Authority. Where the sale of alcohol is authorised as a licensable activity the licence identifies the Designated Premises Supervisor.

### Part 1 - Premises Details

#### POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

#### Heydays

Unit 1, Sideshore, Queens Drive, EXMOUTH, EX8 2GD.

#### WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

#### LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

#### THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	Noon	11:00pm
	Outside event space	Noon	11:00pm
	1 April - 31 October only		
F. Playing of recorded music (Indoors)	Sunday to Wednesday	7:00am	Midnight
	Thursday to Saturday	7:00am	1:00am
	Monday to Sunday	7:00am	11:00pm
	1 April - 31 October only		
I. Late night refreshment (Indoors)	Sunday to Wednesday	11:00pm	Midnight
	Thursday to Saturday	11:00pm	1:00am
	Monday to Sunday	11:00pm	1:00am
	1 April - 31 October only		
J. Supply of alcohol for consumption ON the premises only	Sunday to Wednesday	11:00am	Midnight
	Thursday to Saturday	11:00am	1:00am
	Monday to Sunday	11:00am	11:00pm
	Outside event space		
	1 April - 31 October only		



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THE OPENING HOURS OF THE PREMISES			
	Description	Time From	Time To
Outside event space	Sunday to Wednesday	7:00am	12:30am
	Thursday to Saturday	7:00am	1:30am
	Monday to Sunday	7:00am	Midnight
	1 April - 31 October only		
External Terraces		7:00am	Midnight
Permitted hours for use of the two external terraces (one at ground floor & one at first floor level)			

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES
- J. Supply of alcohol for consumption ON the premises only



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Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Exe Exe Exe Limited  
[REDACTED]

Leanne House, 6 Avon Close, Weymouth, Dorset, DT4 9UX.  
Telephone [REDACTED]

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Exe Exe Exe Limited

15990542


**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Samuel Robert BEATON  
[REDACTED]

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. 2013/01841/02SPEN

Issued by Southampton



**Melanie Wellman**  
**Director of Governance and Licensing**



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### ANNEXES

#### 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-



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- (a) a holographic mark, or
  - (b) an ultraviolet feature.
5. The responsible person must ensure that-
  - (a) 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



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- 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.
7. (a) Admission of children (under the age of 18) to any exhibition of films must be restricted in accordance with the film classification applied by the body designated as the authority under Section 4 of the Video Recordings Act 1984.
- (b) Where the film classification is not specified or where the Licensing Authority notifies the licence holder that Section 20(3) (b) applies to the film in question, admission of children must be restricted in accordance with any recommendations made by the Licensing Authority.
8. Any person used to carry out a security activity as required under any condition of this licence/certificate must be licensed or authorised to do so by the Security Industry Authority.

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

#### Doorstaff

Security Industry Authority (SIA) registered door supervisors will be employed at the premises from 2100hrs on Friday and Saturday nights at a ratio of 2 for the first 150 customers and an additional 1 for every 75 customers thereafter.

At any other time when alcohol is offered for sale at the premises, the DPS will risk assess the need for Door Supervisors depending on the type and size of event planned. Should it be felt that there is a need for Door Supervisors there shall be a minimum of 2 who will be SIA registered.

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

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

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



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

#### CCTV

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

All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder.

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

The CCTV system will continually record whilst the premises are open for licensable activities and during 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 14 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, with 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.

All drinks served in the outside event space will be served in polycarbonate containers.

The outside event space shall be supervised at all times it is open for the sale of alcohol.

Except for the sale of a bottle of wine/champagne, no bottles containing beverages of any kind, whether open or sealed, shall be given to customers for consumption in the outside event space.

All exit doors from the premises shall be regularly checked to ensure they function satisfactorily. Records shall be kept and shall be available for inspection by any authorised officer of a responsible authority on request.

All fire doors shall be maintained unobstructed, self-closing, and shall not be held open other than with approved devices.





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All furniture and temporary decorations shall be located so as not to obstruct exits, fire safety signs or fire-fighting equipment.

Notices explaining the actions to be taken in the event of a fire will be prominently displayed and maintained in good condition.

Access shall be provided for emergency vehicles and kept clear at all times.

Fire drill and emergency light testing shall be conducted regularly. Records shall be kept and shall be available for inspection by any authorised officer of a responsible authority on request.

Adequate and appropriate first aid equipment shall be available on the premises.

At least one trained First Aider shall be on duty when the public are present in the premises.

The acoustic lobby installed at the main entrance to the premises shall be retained so as to minimise the breakout of noise.

The waste receptacle building and all waste bins will be kept clean and maintained so as to prevent noxious smells causing any nuisance to the public or nearby premises.

There shall be no disposal of bottles into waste receptacles between 2300hrs and 0700hrs to minimise disturbance to nearby premises.

The premises shall have a waste collection contract with a reputable local company.

Ventilation and extract systems shall be maintained so as to prevent noxious smells causing any nuisance to the public or nearby premises.

The premises will operate a proof of age policy that has been agreed by the Police. 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.

Between 0700hrs - 2300hrs, the noise climate of the surrounding area must be protected such that the A-weighted equivalent continuous noise level (LAeq) from music noise level emanating from the application site, as measured at monitoring points over any 15 minute period with entertainment taking place, must





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not increase by more than +5 dB at the agreed monitoring points when compared against the agreed comparable LAeq 15min, with no entertainment taking place.

Between 2300hrs - 0200hrs, the noise climate of the surrounding area must be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured at monitoring points over any 15 minute period with entertainment taking place, must not increase at the agreed monitoring points when compared against the agreed comparable LAeq 15min, with no entertainment taking place.

Between 2300hrs - 0700hrs, the unweighted (i.e. linear) equivalent noise level (LZeq) in the 63Hz - 125 Hz 1/1-Octave bands, measured using the "fast" time constant at the monitoring points, over any 15 minute period with entertainment taking place, must not increase when compared against the agreed comparable LZeq 15min, with no entertainment taking place.

After 2300hrs, all external doors and windows at the premises shall be kept shut, except for:

- access and egress through external doors; and
- the two windows on the first-floor glazed restaurant area which face directly onto the sea.

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

The permitted hours for use for all external areas to the Bar & Restaurant and Cafe building are Monday to Sunday 07.00 - 00.00 only.

During the hours of operation of the premises (including operation of the outside event space), sufficient measures will be taken to remove and prevent litter and waste arising or accumulating from customers in the outside event space. This area shall be swept and / or washed, and litter and sweepings collected and stored by close of business, in accordance with a refuse storage arrangement approved in writing by the Council.

Clear and legible notices shall be prominently displayed at all exits to the outside event space, warning patrons of the dangers of swimming.

At all times when the outside event space is in operation, portable toilets shall be located in the outside events space and shall be available for use by the public.

### 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.

