

# REPRESENTATIONS LIST

Appendix D

**Application No:** 061741

**Application Date:** 16 April 2026

**Licence Type:** Premises Licence WITH Alcohol

**Licence No:** N/A

**Application Type:** New Application

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**Premises:** Loft Bar & Grill (The)  
11A Church Street, EXMOUTH, Devon, EX8 1PE.

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**Applicant:** Kerry Alison Roach  
[REDACTED]

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**Person making Representation:** Environmental Health Officer  
Blackdown House, Border Road, Heathpark Industrial Estate, HONITON, Devon

**Representation Accepted:** Representation has been accepted

**Reason:** Agreed Position

**Details:** Please see below the email trail detailing an agreed position I have come to with the applicant for the above New Premises Licence at The Loft Bar and Grill.

In light of this I would like to make a representation under the Public Safety licensing objective to have the additional condition added to the licence should it be granted:

"The roof terrace will not be in use for members of the public and a 'No admittance except in case of emergency' notice will be displayed on the fire door leading to the terrace."

**Evidence:**

**Suggestion:**

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**Application No:** 061741**Premises:** Loft Bar & Grill (The)  
11A Church Street, EXMOUTH, Devon, EX8 1PE.**Person making Representation:** D W Peacock  
[REDACTED]**Representation Accepted:** Representation has been accepted**Reason:** Public Nuisance**Details:**

I am writing to formally object to the premises licence application for The Loft Bar and Grill, 11 A Church Street, Exmouth.

My objection is based on serious and ongoing concerns relating to the licensing objectives, in particular the prevention of public nuisance, the prevention of crime and disorder, and the promotion of public safety.

The premises is situated within a densely populated residential area. Historically, its operation has resulted in repeated disturbances both within the venue and in the surrounding streets. Noise levels have frequently been excessive and have had a significant impact on nearby residents, many of whom are elderly. The lack of effective soundproofing means that music and customer noise travel easily, particularly when windows are open, regularly exceeding what would reasonably be considered acceptable levels late into the evening.

Since the venue's recent closure, there has been a noticeable and widely commented improvement in the quality of life for local residents. This change alone highlights the extent of the disruption previously experienced.

There are also ongoing concerns regarding management and compliance. The premises has, in the past, appeared not to meet expected safety and operational standards, including concerns raised locally about the absence or inconsistency of CCTV coverage, insufficient door supervision, and unsuitable glazing for noise control. In addition, the management has been perceived as unapproachable when residents have attempted to raise issues, which has made constructive resolution difficult.

Furthermore, there have been repeated observations of anti-social behaviour associated with the premises. This has included individuals congregating outside, causing disturbance, and instances of suspected drug use in public view. There have also been incidents of loud and aggressive disputes linked to the premises, which have further impacted the sense of safety and wellbeing within the community. Taken together, these issues demonstrate a clear risk that granting this application would undermine the licensing objectives and lead to a return of the unacceptable conditions previously experienced by residents.

For these reasons, I respectfully request that the application be refused. At the very least, I would urge the Licensing Authority to give significant weight to the lived experience of local residents when considering this matter.

Thank you for taking the time to consider this representation.

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

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**Application No:** 061741

**Premises:** Loft Bar & Grill (The)  
11A Church Street, EXMOUTH, Devon, EX8 1PE.

**Person making Representation:** B J Peacock

**Representation Accepted:** Representation has been accepted

**Reason:** Public Nuisance

**Details:**

My objection is based on serious and ongoing concerns in relating to the licensing re the following:

Public nuisance  
Prevention of crime and disorder and public safety

The premises is situated within densely populated residential area, with new housing of 50 or more properties or so soon. Historically, it has repeated disturbances both within the venue and surrounding area. Noise levels have frequently been very excessive, having a significant impact on residents of all ages.

Lack of effective soundproofing means music and customers noise travel. The windows are open, regularly exceeding acceptable levels late into the evening, early mornings.

(The windows are sometimes kept open for days meaning birds fly in and out for days)

Since venues recent closure, there has been noticeable improvement of locals quality of life and have been commended on. This change alone highlights the extent of disruption previously experienced.

Ongoing concerns re management and compliance

Premises have in the past, appeared not meet expected safety, operational standards: CCTV coverage, insufficient door supervision, unsuitable glazing re noise. Roof terrace would not be safe also customers would be able to look into our property i.e lounge & bedroom. Garden/courtyards would also lack privacy. Rubbish thrown from 2/3 storeys high, shouting to persons below. Re wooden fencing, on very windy days we already have had items blown into our courtyards.

The above demonstrate clear risk granting this application would undermine licensing objectives, leading to a return of unacceptable conditions previously experienced by residents.

For these reasons, I respectfully request that the application be Refused, and at very least, I would urge the Licensing Authority to give significant weight to the lived experience of local residents when considering this matter.

Thank you for taking time to consider this representation

**Evidence:**

**Suggestion:**

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Application No: 061741

Premises: Loft Bar & Grill (The)  
11A Church Street, EXMOUTH, Devon, EX8 1PE.

Person making Representation: Thomas Gordon

Representation Accepted: Representation has been accepted

Reason: Public Nuisance

Details:

I am writing in order to object to the application Ref No. 061741, by Kerry Alison Roach for a Premises Licence for The Loft Bar and Grill, 11A Church Street, Exmouth, EX8 1PE

#### Prevention of Public Nuisance

I have lived [REDACTED] The 1st floor Loft Bar & Grill, from before it was converted into a pub. The party wall runs the whole length of the pub. Over that time, my life and home have been harmed more than any others, with nuisance from it, including noise and vibration, damage to my roof, windows, threats, physical attacks, people late at night shouting up to be let into the pub and vigorously trying to kick my [REDACTED] open, (because they drunkenly thought that [REDACTED] was the pub) as well as damage to my car and urination through my letterbox, which although it cannot be shown to be associated with 11A, probably was. There was never any insulation added to [REDACTED] and most of the [REDACTED] from both sides.

12 people [REDACTED] the Pub and these two things demonstrate more clearly than anything else, how much the nuisance affects residents.

1) There are 7 houses opposite the pub entrance, all within 6 metres. Before the pub opened, they were all owner occupied and included 2 children. There have been no children for years and 6 of the 7 are now rented out, because nobody who is thinking of taking out a mortgage, would want to be trapped in a life there, unable to get to sleep at a normal time, bring up children or have a peaceful retirement, in a narrow street that magnifies the effects of both the music and drinkers, who are right outside their front doors and windows. Renters will accept more nuisance, for a while, taking into account that it is cheaper to rent there, always knowing that they can easily just move away. The one remaining owner occupier can't afford to leave.

2) I have had to alter my [REDACTED] because late disturbance from the pub made it impossible to get enough sleep on a regular basis to [REDACTED]. These are the enduring effects that this pub has had on its neighbours. It has always been unsuitable for use as a bar and sometimes publicans have acted beyond the terms of their permissions and licenses. We have typically been unable to get nuisance properly dealt with by EDDC or the police and so continuing to complain has been pointless. The last few, quiet months since it shut though, have been wonderful.

The noise is the greatest nuisance for this predominantly music pub with live music, recorded music and karaoke proposed until midnight with customers drinking up until 12:30.

For those living immediately opposite, when the 1st floor fire doors are opened, either for people entering/leaving or to let heat out, the loud music barrels down the brick stairway and directly at the houses opposite. When the fire door springs shut without damping, it bangs loudly. What the pub really needs is an acoustic airlock/ sound lobby and proper sound insulation to all walls, windows and the ventilation system, including provision of air conditioning and noise limiting devices. Planning permission required all windows on the North, South and East to be fixed, opaque and double glazed. This clearly never happened.

Sound insulation of the 1st floor bar extraction fan opposite the 7 houses is nil. At one time previous licensees agreed with environmental health that they would sound insulate it during live music, but this merely entailed putting a cushion over it, which they admitted in writing, "sometimes fell down". Currently, when the music is particularly loud, the glass of the buildings original sash windows vibrates. Clearly they are not effectively soundproofed and there is no reason why this new license should be allowed to cause such a nuisance.

Music from the nearby F&L Pub has an entirely lesser impact on the neighbourhood, as it is emitted away from housing onto a carpark and an open aspect road.

The two main issues for ourselves are :-

1) Loud music until late at night, transmitted through the walls and floor, with not even a half hearted attempt at insulation, on this first floor property,  
2) If inebriated customers are allowed on the flat roof, then as in the past, [REDACTED] and the security of [REDACTED] would be put at risk, along with the noise nuisance we have experienced in the past from external loudspeakers and people speaking loudly and volubly, especially when shouting 2 storeys down to friends.

Moving vapors and smokers from the street to the 2nd floor flat roof would not remove a nuisance. It would merely move it a few feet to a less supervised area, where customers will feel less motivation to self restrain, where it would create heightened and extra, new nuisances, which will be considerably more dangerous both for customers and innocent people in the street, as well as disturbing to neighbours all around. The freeholder has the use of land which is immediately adjacent to the pub, currently under-used for selling cars, which would greatly reduce nuisance to all residents if the smokers went there instead. The applicant has offered signs and monitoring (mainly with only generalised promises) & no drinking on the roof, after 9pm, but it would still be used until 12:30, which restriction will achieve all but nothing and shows a shocking lack of concern for the nuisance that their pub causes for the entire time that it opens. Police will disperse noisy people outside, if they are still there when they eventually arrive, but generally they merely suggest contacting EDDC for noise nuisance issues.

Environmental health This property was given planning permission against the advice of officers, so subsequently a multitude of conditions were applied in order to bodge a response, to try and mitigate the troubles permission cause.

Council officers appear to have been unable/unwilling to enforce/support almost any conditions, which has made it pointless to continue complaining, although I sympathise with their long term understaffing problems.

For instance, I have been told that the reason that this new license has been applied for, is that it was run

by the applicant without a DPS. The lack of a DPS and both the CCTV failure and their failure to notify the police and EDDC about that, were not noticed until the sad death of a young customer outside the bar. This led to the police demanding access to the CCTV recordings (which were a condition of the license). An investigating policeman told me that their CCTV wasn't working when he wanted to see evidence of a previous street fight (which led to a man's imprisonment) and the property has not been maintaining a number of other elements of the building.

I have only once managed to get environmental health to do a noise measurement reading and they pointlessly arrived at 7 pm, before customers arrived nextdoor, when unsurprisingly they decided that it was not noisy in my bedroom. To give a non technical indication of what Environmental Health do NOT consider nuisance from the pub next door to be, it includes noise levels where it hampers normal volume conversation in my living room, lasting until 12:30 at night.

Many restrictions on usage have been removed over time, one by one, normally without residents knowing, because residents are not notified of most applications and "the licensing authority is only able to consider imposing conditions...if relevant representations have been made". There have been considerable deviations from the original planning and licensing controls over a long period, which have greatly impacted the area and the bar is now far from the original requirement of "retaining the nature of a winebar".

Subsequent to the bar first being created, the area has been gentrified and the nuisance from the bar has become even less acceptable. The nearby builders merchants, small repair garages, the Builders Arms pub, the dairy, the printers, auction rooms, a factory and the hire centre, have all closed.

These are some conditions which have previously been imposed by planning and the licensing justices, (but which are predominantly not being currently offered by the applicant) :-

Southern staircase

to be only used as an emergency exit because it discharges directly onto a public roadway with highway safety concerns

According to the Fire Brigade, it had to be maintained empty at all times of anything which could block full and free exit, with normal use of it by customers banned, because they could hinder other people using it to exit in an emergency

Sound insulation of the walls was needed BUT this wooden stairway which is directly fixed to the party wall, creates and transmits noise very efficiently, in part because the applicant appealed to the department of the environment who overruled the council's building regulations dept decision of requiring a concrete stairway, before the DoF accepted that it had been in error, by which time it was then considered too late to reverse it. There is no sound attenuation of any sort...or even plaster on the pub side, within both the stairway and the bar.

The street door at the bottom had to be fixed open whenever customers were on the premises, because it was an inward opening door for an emergency exit. This made it more difficult to stop customers using it. The first floor fire doors to the staircase had to be kept shut and panic bars fitted on the inside, to both protect the fire exit route leading from the 2nd floor and also to dissuade customers from using it as an entrance.

Northern Entrance The street door at the bottom had to be fixed open whenever customers were on the premises, because it was an inward opening door for an emergency exit.

Opening hours They should be limited to 10:30 plus drinking up on M-Th+Sun & 11 plus drinking up on Friday and Sat, and "this closing time be maintained for the whole premises and that the restaurant must close at the same time as the bar" and "there shall be no application for a special hours certificate under section 77 of the licensing act".

The Flat Roof Previous licensing specifically required planning permission to be granted before it could be used under the terms of the license. It must be cleared of all free standing materials at all times and shall not be used for any purpose (including storage) in connection with the use hereby approved except in emergencies". It should be retained only as an open area for an emergency exit route to the Eastern emergency exit staircase. An appeal was turned down for erecting fences around it and using it as a smoking area. This was "in the interest of the amenities of adjacent properties" and because the fire brigade considered use of it could impede customers from the bar using it as an escape route in an emergency.

The 2nd floor restaurant had to have its windows to the North, East and South be double glazed and permanently fixed shut with obscured glass and used solely for table dining. The restaurant door to the flat roof must also be double glazed and kept shut.

The 1st floor bar Adequate ventilation must be provided and a scheme for noise attenuation in the Gents toilets concerning the WC, urinal, fan and door, including no soil, vent or waste pipes from the urinals or WC being fixed to the party wall to the East, in the interests of the amenities of adjacent properties. The license specified that "there shall be no more than 3 varieties of draught beer or cider available for supply or sale" and "no application to sell spirits" and required that the "property must retain the character of a wine bar/restaurant" and that "there shall be no applications for any occasional licenses."

The windows to the North and South must be double glazed, fixed shut and obscured in the interests of privacy for the neighbours and for sound attenuation.

Live Music The EDDC chief health and housing officer recommended that there should be none allowed at all, but because outline planning permission (recommending for outright refusal by the officers) had neglected to mention this point amongst all the others listed, it was felt too late to impose the restriction within full planning permission.

All external doors and windows must be kept shut, other than for access and egress, in all rooms when events involving amplified music or speech or other entertainment are likely to give rise to noise.

The electrical system, including portable appliances must be inspected and tested annually by a competent person to ensure safety. A competent person will be a qualified electrician who is registered with the ECA or NICEIC.

The Gas System, including appliances, must be inspected and tested by a CORGI registered gas engineer annually and a satisfactory Gas Safety Certificate must be obtained.

If this venue IS accepted as being suitable for a license, subject to restrictions, then most of these previous restrictions and a few more are needed to be included because they have clearly not been sufficient in the past to prevent public nuisance and disorder.

Additional terms for consideration:-

Premises: Loft Bar & Grill (The)  
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SIA men should be employed whenever the bar is open, due to the difficulties of supervision over 3 floors. Public liability insurance should be obligatory  
It requires air conditioning in the bar area because they are not allowed to open any windows apart from a small transom facing to the West. The build up of heat is the excuse why windows have been opened and the fire doors to the staircases sometimes wedged open.  
Supply of alcohol for consumption on the premises to any private friends who are bona fide entertained by them at their own expense or the consumption by persons so supplied, should be disallowed, because this has been an issue in the past and the nature of the property means that there is no opportunity for police to collect evidence when the doors are locked as there is no visibility within the property from outside and the CCTV is only offered when "customers are on the premises" which means that it is not obligatory to record evidence of any potential wrongdoing during lock-ins with "friends", for police to access later.  
No customers will be permitted to take open containers of alcoholic or soft drinks from the licensed part of the premises and no customers to be permitted on the flat roof except for emergency exit.  
Noise insulation to be applied to the entire party wall of the property as well as to fans. All windows on 1st and 2nd floor pointing North, South and East to be replaced with double glazed units where they are single glazed and/or Victorian sash windows.  
An electronic noise limitation system to be used if permission for live or recorded music is allowed.  
Temporary events notices should be disallowed.  
Prevention of crime and disorder  
Use of the flat roof is specifically not allowed by planning controls except for emergency exit.  
The applicant makes much of the nature of the CCTV that would be relied upon, but there are always glaring gaps in the effectiveness of even professionally fitted, expensive CCTV systems and it has to be taken into account that the applicant was noticed on social media asking for help to fix her existing cameras on the cheap.  
SIA doormen are offered to be in attendance BUT ONLY during special events Those events with their even longer hours need to be prohibited instead.  
At any normal time, there are no spare staff whose job is to monitor the building and surroundings via CCTV. The proof is self evident that this was previously of little importance for Miss Roach. Anyway, even if highly motivated, it would be near impossible to maintain control of the 2nd floor flat roof by relying on a barmaid on the 1st floor to look at the CCTV, between customers, identify issues and then belatedly take action. The 2nd floor restaurant is used only extremely infrequently, so any action taken would require the barmaid to study the CCTV carefully, before then walking through the bar, through the door to the landing, through the next door and up the stairs, through another door into the diner, walk through the diner and through another door onto the roof, before she was able to deal with issues in person. It would be a natural place for drug dealers to be attracted to. It would take very good audio and vision from at least 8 modern cameras to stand any chance of identifying what was really going on on the roof, let alone be acceptable in court, even if the barmaid had the time and inclination. It is often naturally dark there during main opening hours and putting up a few more lights still would not make it an area which is capable of being easily or successfully supervised by barstaff from one storey down. It is not even reasonable to expect maintenance of the lighting to be satisfactory, as the general maintenance of the building has continued to be very poor in a number of ways.  
Neighbours have evidenced (through the windows) drug taking in the toilets as well as use of the flat roof by customers. Druggies would relish the warning available to them of looking down 2 storeys to spot police arriving and also being able to see the barmaid coming from inside the other side of the diner.  
[REDACTED] down to the flat roof, terminating approximately 40cm above the flat roof for the whole length of the bar. It is thus within easy grasp of anybody who may lean on, sit on or fiddle with and dislodge/damage slates or attempt to break [REDACTED]. It would be effortless if an inquisitive or boisterous lad were to be tempted, when urged on by his mates, for a bet, a lark, a prank, boredom, bravado or sheer drunkenness to run up it and look over the top of the roof and inevitably sometimes climb down the other side to another flat roof, with inevitable [REDACTED]. It could not be practical to successfully erect fence panels all around (as suggested in a previous publican's rejected planning application) because there would be nothing to fix onto and the flat roof cannot be drilled whilst remaining waterproof. Railings would not stop vandalism [REDACTED] when the pubs flat roof was illicitly used and [REDACTED].

Promotion of Public Safety  
The Southern door discharges directly onto the roadway and is clearly not suitable for normal entry/exit even if it didn't cause enormous noise in my flat when they do it, as well as possibly endangering free exit (according to the fire brigade).  
The Northern door, which is the sole entry/access door for all customers, has a pavement only 24 inches wide which is thus not able to be walked along in any reasonable manner. Therefore, an inebriated customer exiting, has all but no opportunity to avoid cars driving along the 3.8m wide road, close to a T Junction. He would have nil chance at all if two cars were trying to pass, or even if one car was driving along just normally close to the kerb, at the same moment that he emerged. How can this be allowed? I think that the only reason nobody has been run down there (that we know of) is because of people already standing in the road, making cars slow right down/stop. The driver could not reasonably be held to blame for any fatality - only those who allowed an unsuitable property with dangerous access to be used as a pub. There was a young man taken unconscious to hospital from near the door, but I don't think that the CCTV was working and I don't know the details of how he sustained his injuries.  
The 1st floor fire doors being held open is clearly a fire hazard and illegal, but in hot weather the pub could be like a sauna, given the lack of other ventilation. The heat is possibly even dangerous for some customers. They need air conditioning.  
Any public use of the 2nd floor flat roof and the adjacent roofs and railings present an enormous danger, being so high and accessible, even without mentioning the fire hazards that EDDC and the fire brigade have previously written about. With the obvious increase in the use of illegal and "legal highs", (at the expense of cigarette consumption), in addition to the effects of alcohol, there is a danger particular with this property, of a youth under the influence, wanting to walk, balance or climb, dangerously, above the level of the flat roof or along the parapet, for a reason that only they ever seem to understand, with the possibility of falling from the second floor probably to their death from such a height. There are no other premises in town that have alcohol consumption at such an unprotected and dangerous height. This flat roof was never designed to be suitable for the public to use, even when sober.

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The council, when refusing use of the flat roof said that it "would be likely to cause noise, overlooking and general disturbance to an unacceptable degree, harmful to the amenity of neighbouring residential properties..." but it would also offer very considerable danger to any customers who felt over adventurous. The various signage offered, are going to have close to zero effect.

Danger below. Anything thrown over would fall inbetween 6 and 8 metres onto either a public highway or cars or people walking innocently below. It could be a hard or heavy item or a lit item flicked over or drugs or unpleasant liquids/solids or all of them at the same time. These items clearly represent a very substantial danger to pedestrians in the street and would be more likely to happen precisely because it would be obvious to the lads above, that in practice, no one below would be able to prove who was responsible for the "accident". The current, short, spiked railings are not only extremely poorly fixed to the building and likely to come away, but also very dangerous especially if a disturbance was to break out. No fence would stop this happening.

Previously we witnessed people shouting/throwing things down to the street and they can also just look down into the bedrooms of the houses plus the otherwise private gardens which are oh so close. The applicant wants to use the flat roof from 10 am until 00:30, but this would be a severe nuisance at all times of the day and night for residents from both the North, East and South sides.

The flat roof is bitumen based and a previous licensee (who was turned down from using it), had offered wooden slatted decking in order to protect its integrity. This would have trapped potentially flammable materials which would have further heightened the dangers from lighted cigarettes being casually discarded there, causing a fire on a fire exit route.

Putting unsupervised, intoxicated people on a high building stands the very real danger of them causing serious problems to both themselves and others below. The restaurant is barely used.

This license should be refused entirely, but if granted, there need to be significant restrictions that are capable of being independently and regularly checked.

Signed  
Tom Gordon

**Evidence:**

**Suggestion:**

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