

Premises Licensing Application 061805

Comments

Prevention of crime and disorder

- Despite assertions by applicant that "management will take a proactive approach to identifying and addressing any issue which may arise", the owner is rarely on the premises at present and staff are usually young and lacking in the experience and stature to deal with difficult issues. What training have any staff currently had in respect of dealing with situations which may arise due to the sale and consumption of alcohol?
- There are no signs at present confirming the legal age for the purchase and consumption of alcohol despite alcohol being currently available at small events/concerts – **this needs to be checked**
- Current live music events have extremely limited food offerings with the predominant consumer spend relating to alcohol. Indeed the owner has confirmed, personally to a resident whom lives within c100 yards of Finn's, that the prime purpose of obtaining a premises licence is to ensure the ongoing viability of the business as it is struggling to financially survive
- Within c200 yards of Finn's is the only major camping and caravan site in Colyton with the site also being 'the home' for a visiting fairground during the week of the Colyton Carnival. The site is on the opposite side of the road to Finn's and access across the road is hazardous due to the lack of footpaths on parts of the road. Crossing the road is also difficult as there is a very sharp bend over a relatively narrow bridge (the Umborne Bridge). The road is the major route for traffic travelling thru' Colyton town centre and is a bus route. Granting an alcohol licence in such a location is not only a health and safety concern/possible problem but also could result in disorderly/dangerous circumstances arising from alcohol consumption off Finn's premises

Public Safety

- Reference has already been made to the location of Finn's viz a viz the major road thru' Colyton – see above
- Currently there is only one exit and entrance to Finn's premises ie via a walkway thru an arcade with a pet shop on one side and an art studio on the other. If the arcade became blocked for any reason there would be no other escape route other than via Finn's retail premises which are cluttered and unsuitable for such a purpose
- One side of Finn's premises 'faces' onto the Coly River. There is no substantial barrier to stop individuals falling over this edge of the premises and indeed adults and children have been allowed to climb down the bank onto the edge of the river which has a shingle spit. There are no steps on the river bank in question. The river is tidal and has been subject to significant increases in height following prolonged periods of rain. Unless significant barriers are erected this situation represents an accident waiting to happen especially with the increase in alcohol consumption on the site if the application is granted
- Car parking is a major problem throughout Colyton generally including the road onto which Finn's is accessed and indeed the road entrance to Finn's is on a sharp bend as traffic enters and exits the Umborne Bridge. Increased access to Finn's will undoubtedly result in far greater likelihood of an accident occurring in an area of road notable for parking and traffic congestion

Prevention of Public Nuisance

- Currently even with "a small amplifier at low volume levels" the music from present small scale events at Finn's can be heard well over 150 yards away. The area of Colyton in which Finn's is located is a quiet residential area with minimal/no noise

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during evenings and weekends – these are the hours which the application is primarily relating to. Nearby residents would be prepared to support these facts.

- The comment in the application that “doors and windows will be kept closed during amplified performances” is simply misleading in the extreme - how can “doors and windows be closed” when music is being played under a sail in the open air
- It is understood that all music will be played to customers in the open air area of Finn's as there are only 2 seats available in the existing deli area and very little free space elsewhere indoors. A key element of Finn's marketing is to enjoy their food and drink offer in an “event space” which is the open area under a sail adjoining the river Coly
- The comment made in the application that Finn's is “a food led premises” may well have been the original intention but currently teas and coffees are a dominant factor and as the owner has admitted, alcohol must play a leading role within the business if it is to survive. The application does not support this position and similar to other responses and remarks within the application it is economical with the truth
- There is little doubt that to date vertical drinking has taken place and within sight of staff who have taken no action for this to stop. This is likely to increase if the licence is granted.

The protection of children from harm

- The situation of children being protected from exploring or falling down the open access area to the River Coly has been detailed above and unless a substantial barrier is built at the area adjacent to the river this represents a serious risk to children who are frequently left unsupervised/unattended whilst parents enjoy teas of coffees
- Similarly there is no barrier for children to leave the premises via the arcade entrance to Finn's thus enabling them to run onto an open road to a factory and delivery vehicles
- Finn's emphasises its “family friendly environment” which appears contradictory to an application for a Premise License Application under which alcohol sales can only be made to persons a lot older than children. Is it Finn's intention to encourage adults to include children when alcohol is being consumed? Being “a family friendly environment” whilst significantly increasing the availability of alcohol seem somewhat contradictory?

Footnote

- As required, Finn's published their application in the Midweek Herald (a free paper) and also posted 3 notices in very close proximity to their premises. As a result of this minimalistic approach to communication with the community, hardly any residents were aware of the application until it was personally drawn to their attention by another resident. If Finn's are the community supportive business they purport to be would it not have been ‘the right and proper thing to do’ to at least notify all residents within say 300/400 yard of their premises of their intent. Regrettably this did not happen, as if this had occurred there would be far more representations than this single one

7 July 2026

PREMISES LICENSE APPLICATION

Ref No. 061805

Premises: Finn's Devon Ltd, Unit 5, Umborne Bridge, Dolphin Street, COLYTON, Devon, EX24 6LU

Ward: Coly Valley

Name of Applicant: Mr George William Chesterton

**Premises Licence Application to include
Premises Open Hours requested**

Monday to Wednesday 08:30 17:00

Thursday to Sunday 08:30 23:00

Activities - Times requested

E. Performance of live music (Indoors & Outdoors)

Thursday to Saturday 14:00 22:30

F. Playing of recorded music (Indoors & Outdoors)

Monday to Wednesday & Sunday 09:00 16:30

Thursday to Saturday 09:00 22:30

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

Monday to Wednesday & Sunday 09:00 16:30

Thursday to Saturday 09:00 22:30

ON SALES

Monday to Wednesday & Sunday 12:00 16:30

Thursday to Saturday 12:00 22:30

CONDITIONS OFFERED BY APPLICANT

The premises will promote the four licensing objectives through its community-focused, food-led operation, with responsible management and staff supervision at all times.

Events involving live music will be small-scale and occasional, typically consisting of acoustic or low-level amplified performances. These will be carefully managed to ensure minimal impact on the local area.

Although alcohol will be available on and off the premises Sunday to Wednesday: 09:00 - 16:30 and Thursday to Saturday: 09:00 - 22:30, the enforcement we will set out on the

premises will not make it possible to drink on the premises until 12:00 on any day, and due to the deli closing at 16:30 off licence activities will stop then. However if customers would like to take home unfinished bottles of wine after 16:30 we will allow that under our off licence timings. We will enforce these rules as a business to achieve our licensing objectives.

The layout and operation of the premises will support safe and orderly behaviour, with clear access and egress routes maintained.

Staff will be trained to understand their responsibilities in relation to the licensing objectives, including the responsible sale of alcohol and awareness of potential nuisance or disturbance.

The premises will maintain a welcoming, family-friendly environment, where food is always available and alcohol is not the primary focus.

Management will take a proactive approach to identifying and addressing any issues that may arise, and will work with local authorities and the community to ensure the premises operates responsibly at all times.

The prevention of crime and disorder

The prevention of crime and disorder will be promoted through responsible management and staff supervision at all times.

A Challenge 25 policy will be in place for the sale of alcohol, and acceptable forms of identification (e.g. passport, driving licence, or PASS-approved ID) will be required where appropriate.

Staff will be trained in the responsible sale of alcohol, including recognising signs of intoxication, and will refuse service where necessary.

Any incidents of crime, disorder, or refusal of alcohol will be recorded in an incident/refusals log, which will be made available to responsible authorities upon request.

The premises will maintain a calm, community-focused environment, with no vertical drinking or high-volume alcohol consumption encouraged.

During occasional live music events, staff will be present to monitor behaviour and ensure the orderly conduct of customers.

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Clear signage will be displayed requesting customers to respect the premises and surrounding area.

The premises will work with local authorities where necessary to address any issues promptly and effectively.

Public safety

A suitable maximum capacity will be observed at all times, particularly during occasional live music events, to prevent overcrowding and ensure customer safety.

Clear and unobstructed access and egress routes will be maintained, and exits will be clearly identifiable and kept free from obstruction.

Appropriate fire safety measures will be in place, including fire detection equipment and extinguishers, in line with current regulations. Staff will be aware of emergency procedures.

Adequate lighting will be provided in all areas accessible to the public, including any external areas used during events.

During live music events, any equipment (including small amplifiers) will be safely positioned, with cables managed to prevent trip hazards.

The premises will be managed to ensure a safe environment for all customers, including families and children.

The prevention of public nuisance

The premises will operate as a food-led deli, bakery and coffee hatch, with licensable activities ancillary to this primary use.

The prevention of public nuisance will be promoted through the careful management of noise and customer behaviour, particularly during occasional live music events.

Live music will be small-scale and occasional, typically consisting of acoustic performances supported by a small amplifier at low volume levels appropriate to the premises.

Sound levels will be monitored and controlled by staff to ensure that noise does not cause disturbance to nearby residents. Volume levels will be reduced if necessary.

Where appropriate, doors and windows will be kept closed during amplified performances (except for access and egress).

Speakers will be positioned to minimise noise breakout, and no large sound systems will be used.

Any outdoor live music (if applicable) will be limited in frequency and duration, with earlier finishing times to reduce potential impact.

Live and recorded music will finish at a reasonable hour, and the premises will not operate as a late-night entertainment venue.

The premises will adopt a responsible approach to the sale of alcohol, with staff trained to recognise signs of intoxication and to refuse service to customers who appear drunk. This will help prevent excessive consumption and associated noise or disturbance.

As a food-led premises, alcohol consumption will be ancillary to the provision of food, and no vertical drinking or high-volume consumption will be encouraged.

Clear signage will be displayed requesting customers to leave the premises quietly and respect nearby residents, particularly in the evening.

Staff will monitor the external area during and after events to ensure noise is kept to a minimum.

The protection of children from harm

The premises will operate as a deli, bakery and coffee hatch, providing a family-friendly environment where children are welcome when accompanied by a responsible adult.

The protection of children from harm will be promoted through the responsible sale of alcohol and appropriate supervision of the premises.

A Challenge 25 policy will be in place, and acceptable forms of identification (such as a passport, driving licence, or PASS-approved ID) will be required for anyone who appears under the age of 25.

Staff will be trained to prevent underage sales of alcohol and to recognise when identification is required.

Children will be appropriately supervised by accompanying adults at all times, particularly during occasional live music events.

The premises will maintain a safe and suitable environment for families, with no activities or entertainment of an adult nature taking place.

Any concerns regarding the welfare of children will be addressed promptly by management.

**Last Date for receipt of representations by the Licensing Authority
29th June 2026**

Representation of opposition to Ref No. 061805

Georgia Woolley [REDACTED]

Fri 12 Jun at 14:38

To: <licensing@eastdevon.gov.uk>

Richard & Carolyn Board, Oliver Board & Georgia Woolley

Premise License Application Ref No. 061805

Premises: Finn's Devon Ltd, Unit 5, Umborne Bridge, Dolphin Street, Colyton, Devon, EX24 6LU

Applicant Name: Mr George William Chesterton

We are writing this as a representation in opposition to the granting of a premise license to Finn's Deli. We have read the proposal and gone through the conditions offered by the applicant.

It is stated by George that 'the layout and operation of the premises will support safe and orderly behaviour,' but the property sits alongside the River Coly, with no fence between the outdoor seating area and the drop down to the river. The river is currently high; however, when the river is low, it becomes a shingle beach which Finn's customers then climb down onto. We have had past incidents where we have seen customers fall whilst on this shingle, and others have taken to throwing stones over towards the public council garden and across to our side of the river, which subsequently has led to the damage of machinery that cuts the grass on the flood plain.

Having no fence to prevent people from going over the edge poses a risk to Public Safety, and it will be harder to prevent people from climbing down once alcohol is brought into the equation.

If this is the case then it will be difficult to enforce the rule of 'no vertical drinking' stated under the Prevention of Crime and Disorder. Finn's is a popular location for dog owners and children alike, but the river in question could threaten the Protection of Children from Harm, if adults are distracted by the consumption of alcohol.

We would like to mention Finn's proposal for the sale of alcohol. It is written in the proposal that 'the premises will not make it possible to drink on the premises until 12:00 on any day, and due to the deli closing at 16:30 off license activities will stop then. However if customers would like to take home unfinished bottles of wine after 16:30 we will allow that under our off license timings'.

It is our belief that if customers can take their drinks off of the premises, then they are within their rights to take their drinks into the public council garden next to our property and elsewhere. This could cause Public Nuisance, and Finns will be unable to control any noise level caused by this if the customers are no longer within the bounds of their premises. It is also likely that litter will be left behind which has the potential to end up in the river and therefore be damaging to the ecosystem. If glass gets smashed, then it will be left for the councilmen to clean up, and may be a risk to the morning dog walkers or pedestrians visiting the area.

It has been requested that on a Thursday to Saturday, the 'On Sales' will be 12:00 - 22:30, so Finn's

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customers will be allowed to purchase alcohol up until this time. We can then assume that there will be 30 minutes of allotted 'drink-up time', which will continue to add to the noise level at an unsociable hour and cause disturbance to the surrounding neighbours.

George has also stated 6 times in his proposal that live music events will be 'occasional'. If they are to be so occasional, then why is it necessary to apply for a full license, when the continued use of TENS would suffice? This would be less disruptive to the surrounding neighbours and will certainly prevent repetitive Public Nuisance issues.

It has been stated in the proposal that 'the premises will operate as a food-led deli, bakery and coffee hatch' but with the introduction of the extended hours and alcohol sales, the premises will no longer fit into the standard category and must therefore be classified as Sui Generis. If this is the case then surely planning permission must be obtained?

Sincerely,

Richard & Carolyn Board, Oliver Board & Georgia Woolley
12/06/2026

We would like to offer thanks in response to the additional measures raised regarding our concerns with the granting of a premises license to Finn's Deli.

While it may be the case that the occasional entertainment events have taken place without incident, complaint or intervention from responsible authorities, we would like to note that no notice was given in the lead up to said events, which would have been courteous to receive as local residents. Other businesses in the town are known to do this.

It has been stated that a physical barrier with appropriate warning signage be installed to discourage access to the riverbank. We have noticed that a rope has been fixed to act as this physical barrier, which we assume is temporary, as while it may act as a barrier for access prevention, it is not a safe structural barrier. It could still allow for accidental falls, especially where children and pets are involved. A flexible rope can easily be stepped over or slipped under, which would not act as a deterrent against the Protection of Children from Harm. Whilst staff may monitor the outdoor area and discourage access down to the shingle area, a rope across will not fully prevent it from happening.

In conjunction with the stone throwing and damage to machinery, the applicant has stated that they are not aware of any such incidents. We would like to state that this is not true, as we went over and spoke to George directly after the mower blade was broken on a lump of stone which had been thrown over by Finn's customers. George acknowledged our complaint and gave us the impression that he would stop customers from accessing the shingle area. It would seem that nothing changed as we continued to see customers standing on the stones and throwing them across. The way this situation in particular was handled, we do not feel comfortable in thinking that any future complaints or incidents regarding Public Nuisance or Prevention of Crime and Disorder will be handled respectfully or professionally by the applicant.

It has come back that the premises will continue to operate as a food-led deli, bakery and cafe, with the sale of alcohol intended to complement the primary offer, and that it will not operate as a pub or vertical drinking establishment. It was observed from the latest event held at Finn's on the evening of 26/06/2026, that vertical drinking took place, with a menu offering only alcohol, not food. We therefore feel that a granted premises license will continue to promote this kind of atmosphere which will consequently affect the local area and its inhabitants.

~~Monday 6th July 2026~~ Monday 6th July 2026. **APPENDIX G**

Rope barrier along river edge.



FRIDAY 26TH JUNE
2020.

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BEERS + CIDER

GILT + FLINT LAGER - 4.6% - 330ml - \$4.50
 LHQ WEST COUNTRY PALE - 4.5% - 440ml - \$6.00
 CHEESEBUNGER CAVALEY IPA - 6.9% - 440ml - \$6.9
 HIDDEN FIGURES NEIPA - 5.0% - 440ml - \$5.8.
 ARBOR MOSAIC (Gf) IPA - 4.0% - 568ml - \$5.5

FIND + FOSTER BLOSSOM - 6.0% - 750ml - \$20
 DRY CIDER
 NOLIA IPA - 0.5% - 330ml - \$6.

WINE

* WHITE
 DA VERO - ORGANIC WHITE WINE - 175 200 Bottle
 DEVON MINNOW - BACKHAYS - \$7.00 \$10 \$22
 TWO WINTERS CHARDONNAY - \$28
 B. AND - RIESLING - \$36
 * ROSE
 CHATEAU GATROIRD - PROVENCE \$4.50 \$10 \$22
 CASTLEWOOD ROSE - MUSBURY \$30
 RED
 NEKEAS - TINTO COSECHA - SPAIN \$30

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