



Public Document Pack

North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

K. Miles,
Chief Executive.

LICENSING AND COMMUNITY SAFETY SUB COMMITTEE C

A meeting of the Licensing and Community Safety Sub Committee C will be held in the Barum Room - Brynsworthy on **WEDNESDAY, 24TH AUGUST, 2022 at 10.00 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)

(NB: A pre-meeting for Members will be held in the Barum Room at Brynsworthy Environment Centre, Barnstaple at 9.30 a.m.)

Members of the Sub Committee:

Councillors Biederman, Chesters and Pearson

AGENDA

1. Appointment of Chair
2. Apologies for absence
3. Items brought forward which in the opinion of the Chair should be considered by the meeting as a matter of urgency
4. Declarations of interest
(Please complete the form provided at the meeting or telephone Corporate and Community Services to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called, and Councillors must leave the room if necessary).
5. To agree the agenda between Part 'A' and Part 'B'
(Confidential Restricted Information).

PART 'A'

6. **Application for the grant of a premises licence; Mad Hatter Plant Based Bistro and Lounge bar, 8 and 10 Queens Walk, Bear Street, Barnstaple EX32 7DA. Reference Number 054744 (Pages 5 - 54)**
Report by Licensing Officer (attached).

PART 'B'

Nil.

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

NOTE: Pursuant to Part 3, Annexe 1, paragraph 4 of the Constitution, Members should note that:

If a Member:

- (a) Arrives at a meeting during the consideration of an item; or
- (b) Leaves a meeting at any time during the consideration of an item;

he/she shall not:

- (i) propose or second any motion or amendment; or
- (ii) cast a vote

(For the avoidance of doubt may still participate in the debate)

An amendment which opposes a motion to grant or refuse a licensing application is deemed to be a valid amendment.

16.08.22



North Devon Council protocol on recording/filming at Council meetings

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

Notes for guidance:

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

North Devon Council offices at Brynsworth Environment Centre (BEC), the full address is: North Devon Council, PO Box 379, Barnstaple, Devon, EX32 2GR.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.





North Devon Council

Report Date: 24 August, 2022

Topic: Application for the Grant of a Premises Licence; Mad Hatter Plant Based Bistro and Lounge Bar, 8 and 10 Queens Walk, Bear Street, Barnstaple, EX32 7DA.

Reference Number 054744

Report by: LICENSING OFFICER PHIL FITZSIMONS

1. INTRODUCTION

- 1.1 The purpose of this report is to present an application for the grant of a premises licence in respect of the Mad Hatter Plant Based Bistro and Lounge Bar 8 and 10 Queens Walk, Bear Street, Barnstaple
- 1.2 The application (Appendix A) is made by Miss Casey Reed and requests the following licensing activity: Permit the supply of alcohol on and off the premises.
- 1.3 The Licensing Authority has received one relevant representation from a Responsible Authority in regard to the application which gives rise to the hearing.
- 1.4 A Letter dated 1st July 2022 and report dated 15th August 2022 from Mrs B Coles, Planning Officer, Strategic Development and Planning (Appendix D).
- 1.5 The relevant representation meets the Licensing Objective as follows:

Licensing Objectives	
The Prevention of Public Nuisance	x



2. RECOMMENDATIONS

2.1 That the Sub Committee:

Considers the request for determination of the application for the grant of a premises licence and the representation included in appendix of this report, together with any oral submissions at the hearing.

2.2 In determining this application, the Sub-Committee must take one of the following steps, as it considers necessary for the promotion of the licensing objectives. The Sub-Committee should be mindful that in making their decision, if it involves the modification or imposition of conditions or the rejection in whole or in part of the application, such a decision could only be justified if it is made to promote the licensing objectives:

2.2.1 The steps are:

(a) to grant the licence subject to:

- (i) the terms sought by the applicant, including such conditions as are consistent with the operating schedule.
- (ii) such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers necessary for the promotion of the licensing objectives.

(b) to exclude from the scope of the licence any of the licensable activities to which the application relates.

(c) to refuse to specify a person in the licence as the Designated Premises Supervisor.

(d) to reject the application

2.3 Should the Sub-Committee be minded to grant the application then it is recommended that this be subject to conditions which seek to mitigate the potential for contraventions of the Licensing Objectives. The following conditions are recommended:

2.3.1 The proposed conditions submitted by the applicant and included as (Appendix E) of the report.

2.4 It will be best practice, as well as a matter of elemental fairness, that at a hearing, the licensing authority ensures that parties are aware of any condition the licensing authority is proposing to add of its own volition to a licence, in advance of the decision being made.



- 2.5 When Members are considering adding a condition that has not been addressed during the hearing, for example because it is raised after the Members have retired to consider their decision, the parties should be given an opportunity to address the Members on the new condition being considered. This can be done informally, for example, by the legal advisor passing a message to the waiting parties.
- 2.6 If the proposed condition proves controversial, the parties should be afforded the opportunity of addressing the Members further on both the principle of the condition or its specific working. This is likely to serve the interests of all parties, including the Members who will be better informed about the impact and practicability of their proposal. Moreover, a failure to follow this approach risks attracting criticism from the appeal courts.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The recommendations are made so that the Sub-Committee fulfils its duty under section 18 of the Licensing Act 2003 to determine the application for a premises licence where relevant representations have been made.
- 3.2 The recommendations in relation to the imposition of conditions on the premises licence are made with a view to promoting the licensing objectives.

4. REPORT

- 4.1 An application to grant a premises licence for the Mad Hatters Plant Based Bistro 8-10 Queens Walk, Bear Street, Barnstaple, EX32 7DA was submitted by Miss Casey Reed Ltd on the 1st July, 2022.
- 4.2 The proposed grant application as applied is to enable the supply of alcohol on and off the premises Tuesday to Thursday from 11:00 to 21:30 hours, Friday and Saturday 11:00 hours to 22:00 hours and Sunday 12:00 hours to 16:00 hours.
- 4.3 The proposed licensing activities and hours applied for are as follows:



Activity	Day	Start	Finish
Supply of Alcohol on and off the premises	Tuesday to Thursday	11:00	21:30
Supply of Alcohol on and off the premises	Friday to Saturday	11:00	22:00
Supply of Alcohol on and off the premises	Sunday	12:00	16:00
Hours open to the public	Tuesday to Thursday	11:00	22:00
Hours open to the public	Friday to Saturday	22:30	22:30
Hours open to the public	Sunday	12:00	16:30

- 4.4 Any grant of a premises licence may be subject to conditions applied by the Licensing Authority as a result of this hearing
- 4.5 A plan of the internal layout of the premises is attached at (Appendix B) and location at (Appendix C).
- 4.6 In addition to the above applied for licensable activity, Section 16.6 of the Statutory Guidance issued under Sec. 182 of the Licensing Act 2003, outlines the deregulatory changes that have amended the Licensing Act 2003 to make certain activities non-licensable. Of particular relevance to the representation received against this application are the following provisions introduced by the Live Music Act 2012:
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500



- 4.7 Although Live and recorded music have been deregulated subject to the conditions set out above, it is still open to the Licensing Authority to add conditions to a Premises Licence as though the live or recorded music were regulated entertainment authorised by that Premises Licence (between 8am and 11pm), where the Licensing Authority feel it is necessary for the promotion of the licensing objectives.
- 4.8 In addition, the Licensing Authority can determine that live or recorded music at the premises is a licensable activity and live or recorded music cannot be provided without permission on the Premises Licence.

5. RELEVANT REPRESENTATIONS

- 5.1 The relevant licensing objective is:

Licensing Objective	
The Prevention of Public Nuisance	x

- 5.2 Responsible Authorities

5.2.1 Devon and Cornwall Police – No representation received under the licensing objectives but observation made with regard Police logs in the area. (Appendix F)

5.2.1.1 Devon and Somerset Fire and Rescue Service – No representation received.

5.2.1.2 NDC Environmental Protection – No representation received.

5.2.1.3 NDC – Health Food and Safety – No representation received.

5.2.1.4 NDC Planning – Observation received that the proposal falls outside permitted development and a formal planning application is required for change of use, **Representation received under the licensing objective of the Prevention of Public Nuisance. (Appendix D).**

5.2.1.5 NDC Licensing – No representation received.



5.2.1.6 Devon County Council, Business Strategy and Support Services (Child Protection) - No representation received.

5.2.1.7 Devon County Council, Trading Standards – No representation received.

5.2.1.8 Public Health Devon – No representation received.

5.2.1.9 Home Office Immigration Enforcement – No representation received.

5.3 The Licensing Authority has received one relevant representation:

5.3.1 Mrs B Coles, Planning Officer, Strategic Development and Planning (Appendix D).

The email and report expresses concern with regard to the licensing objective of the prevention of public nuisance.

In summary concerns relate to:

Impact of noise from the bistro and bar from recorded and live music and the effect on neighbouring flats situated above.

5.4 On the 26th July 2022 (Appendix G) Casey Reed responded to the Licensing Authority remove open mic nights and to close the bar on Fridays and Saturdays at 9pm.

6. RELEVANT LICENSING POLICY CONSIDERATIONS

6.1 The Sub-Committee is entitled to draw upon any of the considerations outlined in its Licensing Policy document. However the most significant policy consideration appear to be the following:-

- Paragraphs 3.4 to 3.4.3 (Prevention of Public Nuisance).

6.2 The Sub-Committee is entitled to draw upon any of the considerations outlined in the Statutory Guidance issued under Sec. 182 of the Licensing Act 2003 and published by the Home Office. However, the most significant statutory guidance appears to be in the following:

- Paragraphs 2.15 to 2.21 (Prevention of Public Nuisance).



- Paragraphs 14.64 to 14.65 (Planning and Building Control), specifically section 14.64 which states “The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa”.

7. OBSERVATIONS / OPTIONS

- 7.1 The Act at section 18(3a) states that, before determining the application, the Licensing Authority must hold a hearing to consider it and any relevant representations. It must, having regard to the application and any relevant representations, take such steps mentioned in section 18 (4) (if any) as it considers necessary for the promotion of the licensing objectives.
- 7.2 In determining this application, the Sub Committee must take one of the following steps as outlined in section 2.2.1 of this report.
- 7.3 If a licence is granted, any relevant mandatory conditions must be imposed in addition to any conditions the subcommittee decides to impose at the hearing. Mandatory conditions are standard conditions imposed by way of legislation and in respect of which there is no power to vary.
- 7.4 Any party to the hearing has the right of appeal to North and East Devon Magistrates’ Court following the determination of the application under section 181 of the Act.
- 7.5 The Committee must have regard to all the evidence it hears in reaching its decision.

8. RESOURCE IMPLICATIONS

- 8.1 There are no direct financial or human resource implications for the Council associated with this report.
- 8.2 Should an appeal against the decision of the Licensing Sub-Committee be brought there are potential financial consequences to the Council should the Council’s decision be overridden.

9. EQUALITIES ASSESSMENT

- 9.1. Not Applicable.



10. ENVIRONMENTAL ASSESSMENT

10.1. There are no direct environmental implications for the Council associated with this report.

11. CORPORATE PRIORITIES

11.1. What impact, positive or negative, does the subject of this report have on:

11.1.1. The commercialisation agenda: Neutral.

11.1.2. Regeneration or economic development: Neutral

12. CONSTITUTIONAL CONTEXT

12.1. The Licensing Sub-Committee Article of part 3 Annexe 1 paragraph 4b

12.2. Referred or delegated power Delegated
Legislative Context

13. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

14. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:

- Licensing Act 2003.
- Amended guidance issued under section 182 of the Licensing Act 2003 (Home Office April 2018).
- Licensing Act 2003 (Hearings) Regulations 2005.
- North Devon Council Licensing Policy Approved 21.11.18.
- Live Music Act 2012
- Appendix A Premises Application
- Appendix B Plan of Premises
- Appendix C Location Plan
- Appendix D Letter / Email and report Beth Coles Planning
- Appendix E Proposed Licence Conditions by Applicant
- Appendix F Police Observation

15. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:



Phil Fitzsimons Licensing Officer. 15/08/22

This page is intentionally left blank



The Licensing Team
Environmental Health & Housing
North Devon Council
PO BOX 379, Barnstaple, Devon,
EX32 2GR

Contact Details:
Tel: 01271 388870
Email: licensing@northdevon.gov.uk
Web: www.northdevon.gov.uk/licensing

APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

Form Ref: LA03/PL 9

Privacy Notice – privacy & data protection

North Devon Council, the Data Controller, collects personal information when you contact us for the licensing services we provide. We will use this information to provide these services, such as the granting of a licence, permit, registration or receipt of a notice.

We may need to share your information with other departments in North Devon Council or external/ third parties, where this is necessary to perform our public functions & services as provided by law.

For more information as a Data Subject regarding privacy & data protection, including how we manage your personal information, data retention and your rights, please see our Privacy Notice on the website: www.northdevon.gov.uk/privacy

If you require this document in an alternative format, please contact us.

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary. You should keep a copy of the completed form for your records.

APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003

I/We* **CASEY REED**
 [insert name(s) of applicant(s)]

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we* are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Part 1 – Premises details	
Postal name and address of premises or, if none, Ordnance Survey map reference or description MAD MATTER PLANT BASED BISTRO AND LOUNGE BAR. 8 AND 10 QUEEN'S WALK, BEAR STREET	
Post Town BARNSTABLE	Postcode EX32 7DA
Telephone number at premises (if any) N/A	8 AND 10
Non-domestic rateable value of premises £	WARRINGTON COMBINED £6,150

Part 2 – Applicant details	
Please state whether you are applying for a premises licence as Please select 'X'	
a) an individual/individuals*	<input checked="" type="checkbox"/> please complete section (A)
b) a person other than an individual*	
i. as a limited company/limited liability partnership	<input type="checkbox"/> please complete section (B)
ii. as a partnership (other than limited liability)	<input type="checkbox"/> please complete section (B)
iii. as an unincorporated association, or	<input type="checkbox"/> please complete section (B)
iv. other (for example a statutory corporation)	<input type="checkbox"/> please complete section (B)
c) a recognised club	<input type="checkbox"/> please complete section (B)
d) a charity	<input type="checkbox"/> please complete section (B)
e) the proprietor of an educational establishment	<input type="checkbox"/> please complete section (B)
f) a health service body	<input type="checkbox"/> please complete section (B)
g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales	<input type="checkbox"/> please complete section (B)
ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England	<input type="checkbox"/> please complete section (B)

h) the chief officer of police of a police force in please complete section (B) England and Wales

* If you are applying as a person described in (a) or (b) please confirm:

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Title: Mr Mrs Miss Ms Dr Other (please specify)

Surname REED

Forenames CAROL JAYNE

Date of birth _____, am 18 years old or over. Please select 'X' YES NO

Nationality WHITE BRITISH

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current residential address if different from premises address

Post Town _____ Postcode _____

Daytime contact telephone number _____

E-mail address (optional) _____

SECOND INDIVIDUAL APPLICANT (if applicable)

Title: Mr Mrs Miss Ms Dr Other (please specify)

Surname _____

Forenames _____

Date of birth _____ I am 18 years old or over. Please select 'X' YES NO

Nationality _____

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)

Current postal address if different from premises address

Post Town _____ Postcode _____

Daytime contact telephone number _____

E-mail address (optional) _____

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name

Address

Post Town

Postcode

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Telephone number (if any)

E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start? Day 17 Month 06 Year 2023 pk

If you wish the licence to be valid only for a limited period, when do you want it to end? Day Month Year

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS TWO SMALL SHOP UNITS SIDE BY SIDE, ONE SIDE IS A BISTRO, WITH A KITCHEN SELLING FOOD AND DRINK AND THE OTHER SIDE IS A BAR SELLING ALCOHOL AND SOME FOOD. I ATTACH A DIAGRAM.

What licensable activities do you intend to carry on from the premises? (please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

(please select 'x')

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of similar description to that falling within (e),(f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

<p>Plays Standard days and timings (please read guidance note 7)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%; border-right: 1px solid black;">Day</th> <th style="width: 15%; border-right: 1px solid black;">Start</th> <th style="width: 15%;">Finish</th> </tr> </thead> <tbody> <tr><td style="border-right: 1px solid black;">Mon</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Tue</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Wed</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Thur</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Fri</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Sat</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Sun</td><td style="border-right: 1px solid black;"></td><td></td></tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			<p>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)</p> <p style="text-align: right;">Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/></p> <p>Please give further details here (please read guidance note 4)</p> <p>State any seasonal variations for performing plays (please read guidance note 5)</p> <p>Non standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Day	Start	Finish																							
Mon																									
Tue																									
Wed																									
Thur																									
Fri																									
Sat																									
Sun																									

B

<p>Films Standard days and timings (please read guidance note 7)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%; border-right: 1px solid black;">Day</th> <th style="width: 15%; border-right: 1px solid black;">Start</th> <th style="width: 15%;">Finish</th> </tr> </thead> <tbody> <tr><td style="border-right: 1px solid black;">Mon</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Tue</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Wed</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Thur</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Fri</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Sat</td><td style="border-right: 1px solid black;"></td><td></td></tr> <tr><td style="border-right: 1px solid black;">Sun</td><td style="border-right: 1px solid black;"></td><td></td></tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			<p>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)</p> <p style="text-align: right;">Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/></p> <p>Please give further details here (please read guidance note 4)</p> <p>State any seasonal variations for the exhibition of films (please read guidance note 5)</p> <p>Non standard timings. Where you intend to use the premises for the exhibition of films at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Day	Start	Finish																							
Mon																									
Tue																									
Wed																									
Thur																									
Fri																									
Sat																									
Sun																									

C

<p>Indoor sporting events Standard days and timings (please read guidance note 7)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 15%;">Start</th> <th style="width: 15%;">Finish</th> </tr> </thead> <tbody> <tr><td>Mon</td><td></td><td></td></tr> <tr><td>Tue</td><td></td><td></td></tr> <tr><td>Wed</td><td></td><td></td></tr> <tr><td>Thur</td><td></td><td></td></tr> <tr><td>Fri</td><td></td><td></td></tr> <tr><td>Sat</td><td></td><td></td></tr> <tr><td>Sun</td><td></td><td></td></tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			<p>Please give further details (please read guidance note 4)</p> <p>State any seasonal variations for indoor sporting events (please read guidance note 5)</p> <p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Day	Start	Finish																							
Mon																									
Tue																									
Wed																									
Thur																									
Fri																									
Sat																									
Sun																									

D

<p>Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Day</th> <th style="width: 15%;">Start</th> <th style="width: 15%;">Finish</th> </tr> </thead> <tbody> <tr><td>Mon</td><td></td><td></td></tr> <tr><td>Tue</td><td></td><td></td></tr> <tr><td>Wed</td><td></td><td></td></tr> <tr><td>Thur</td><td></td><td></td></tr> <tr><td>Fri</td><td></td><td></td></tr> <tr><td>Sat</td><td></td><td></td></tr> <tr><td>Sun</td><td></td><td></td></tr> </tbody> </table>	Day	Start	Finish	Mon			Tue			Wed			Thur			Fri			Sat			Sun			<p>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</p> <p style="text-align: right;">Indoors <input type="checkbox"/></p> <p style="text-align: right;">Outdoors <input type="checkbox"/></p> <p style="text-align: right;">Both <input type="checkbox"/></p> <p>Please give further details here (please read guidance note 4)</p> <p>State any seasonal variations for boxing or wrestling (please read guidance note 5)</p> <p>Non standard timings. Where you intend to use the premises for boxing or wrestling at different times from those listed in the column on the left, please list (please read guidance note 6)</p>
Day	Start	Finish																							
Mon																									
Tue																									
Wed																									
Thur																									
Fri																									
Sat																									
Sun																									

Agenda Item 6

Appendix A

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for playing recorded music (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times from those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

Agenda Item 6

Appendix A

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of dance (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will the entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	
Tue				
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for this entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 6)	
Sat				
Sun				

Agenda Item 6

Appendix A

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			Please give further details here (please read guidance note 3)	
Day	Start	Finish	<p>State any seasonal variations for the provision of late night refreshment (please read guidance note 5)</p> <p>Non standard timings. Where the you to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 6)</p>	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises <input type="checkbox"/>
				Off the premises <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
			State any seasonal variations (please read guidance note 5)	
* Day	Start	Finish	<p><i>NO SEASONAL VARIATIONS.</i></p> <p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 6)</p>	
Mon				
Tue	11 AM	21.30 10:30pm		
Wed	11 AM	21.30 10:30pm		
Thur	11 AM	21.30 10:30pm		
Fri	11 AM	22.00 10:30pm		
Sat	11 AM	22.00 10:30pm		
Sun	12pm	16.00 4:30pm		

* Hours confirmed by telephone with PF

Agenda Item 6

Appendix A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name **CASEY JAYNE REED**

Date of birth

Address

Post Town

Postcode

Personal Licence number (if known) **NDEVPA 2675**

Issuing licensing authority (if known) **NORTH DEVON COUNCIL**

K

Please highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)

NO OTHER ACTIVITIES WILL BE AT THIS PREMISES, OTHER THAN ALREADY STATED.

L

Hours premises are open to the public

Standard days and timings (please read guidance note 7)

Day	Start	Finish
Mon		
* Tue	11 AM	22.00 10.30 pm
Wed	11 AM	22.00 10.30 pm
Thur	11 AM	22.30 10.30 pm
Fri	11 AM	22.30 10.30 pm
Sat	11 AM	22.30 10.30 pm
Sun	12 pm	4.30 pm 11.30 pm

State any seasonal variations (please read guidance note 5)

THERE WILL BE NO SEASONAL VARIATIONS.

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)

PRIVATE FUNCTIONS THAT ARE BOOKABLE ON A SUNDAY, e.g SMALL PARTYS OF 12-15 FOR BABY SHOWERS, BIRTHDAY MEALS. MUST BE BOOKED IN ADVANCE, OTHERWISE WILL BE SHUT.

M

Describe the steps you intend to take to promote the four licensing objectives:	
a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)	PLEASE SEE ATTACHED PIECE OF PAPER.
b) The prevention of crime and disorder	PLEASE SEE ATTACHED PIECE OF PAPER.
c) Public safety	PLEASE SEE ATTACHED PIECE OF PAPER.
d) The prevention of public nuisance	PLEASE SEE ATTACHED PIECE OF PAPER.
e) The protection of children from harm	PLEASE SEE ATTACHED PIECE OF PAPER.

Checklist	Please tick ✓
• I have made or enclosed payment of the fee £190-00	<input checked="" type="checkbox"/>
• I have enclosed the plan of the premises	<input checked="" type="checkbox"/>
• I have sent copies of this application and plan to the responsible authorities and others where applicable	<input type="checkbox"/>
• I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable	<input checked="" type="checkbox"/>
• I understand that I must now advertise my application	<input checked="" type="checkbox"/>
• I understand that if I do not comply with the above requirements my application will be rejected	<input checked="" type="checkbox"/>
• [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	<input checked="" type="checkbox"/>

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.


Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent. (see guidance note 12) If signing on behalf of the applicant please state in what capacity.

Declaration

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work. (please see note 15)

Signature: 

Date 11/06/2022

Capacity OWNER

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13) If signing on behalf of the applicant please state in what capacity.

Signature:

Date

Capacity

Part 5 – Contact name (where not previously given) and postal address for correspondence associated with this application
(please read guidance note 14)

Post town

Post code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience

CONTINUED FROM PAGE 11 SECTION M.

4 LICENSING OBJECTIVES.

A - THE PREVENTION OF CRIME AND DISORDER -
SEE SECTION B.

PUBLIC SAFETY -
SEE SECTION C.

THE PREVENTION OF PUBLIC NUISANCE -
SEE SECTION D.

THE PROTECTION OF CHILDREN FROM HARM -
SEE SECTION E.

SECTION B -

THE PREVENTION OF CRIME AND DISORDER -

A COMPREHENSIVE COLOUR C.C.T.V SYSTEM
MUST BE PUT IN PLACE AND BE MAINTAINED AND
CHECKED REGULARLY.

ALL EXIT AND ENTRY AREAS MUST BE COVERED
BY THE C.C.T.V SYSTEM.

THERE WILL BE NO SERVING CUSTOMERS WHO
SEEM TO BE INTOXICATED.

THERE WILL BE NO DRUG USE ALLOWED ON THE
PREMISES.

THE LOUNGE BAR LAYOUT WILL PREVENT OVER-
CROWDING FOR LESS CHANCE OF CONFLICT,
CRIME / DISORDER.

CRIME PREVENTION NOTICES MUST BE DISPLAYED IN THE WINDOW.

THERE WILL BE NO IRRESPONSIBLE PROMOTIONS THAT MAY LEAD TO EXCESSIVE CONSUMPTION OF ALCOHOL.

ALL INCIDENTS OF CRIME AND DISORDER WILL BE LOGGED APPROPRIATELY AND REPORTED AS NECESSARY.

ALL STAFF MUST BE TRAINED IN ALL ABOVE ACTIONS. STAFF WILL BE ALSO TRAINED TO -

- CHALLENGE 21 - CHALLENGE 21 SIGN MUST BE SITUATED ON THE TILL.

I.D EXCEPTED WILL BE

A PHOTO DRIVING LICENSE.

A PASSPORT

AND CARD WITH THE PASS HOLOGRAM ON IT.

IF NONE OF THE ABOVE IS PRESENTED THEN THE SALE OF ALCOHOL WILL BE REFUSED. WHEN THE SALE OF ALCOHOL IS REFUSED THIS WILL BE LOGGED DOWN IN THE LOG/INCIDENT BOOK.

THERE WILL BE TRAINING TO SPOT INTOXICATED CUSTOMERS, AND TO REFUSE SERVICE.

THERE WILL BE TRAINING ON ACTIONS TO TAKE IN AN EMERGENCY.

THERE WILL BE TRAINING ON HOW TO USE THE INCIDENT /LOG BOOK, WHAT INFO IS NEEDED, TIME, DATE, NATURE OF INCIDENT ETC AND WILL BE KEPT ON THE PREMISES.

CONTINUED FROM PAGE 11

4 LICENSING OBJECTIVES CONTINUED -

SECTION C -

PUBLIC SAFETY -

PUBLIC SAFETY WILL BE MONITORED BY C.C.T.V., ANY AND ALL INCIDENTS INCLUDING VIOLENCE, REMOVAL OF DRUGS AND WEAPONS SHALL BE LOGGED AND REPORTED AS NECESSARY TO THE APPROPRIATE AUTHORITIES AND OR EMERGENCY SERVICES.

THERE WILL BE NO SERVING CUSTOMERS WHO SEEM TO BE INTOXICATED.

THERE WILL BE NO DRUG USE PERMITTED ON THE PREMISES.

NO OVER-CROWDING WILL BE PERMITTED IN THE LOUNGE BAR.

APPROPRIATE TRAINING TO BE GIVEN TO ALL MEMBERS OF STAFF TO CARRY OUT ALL OF THE ABOVE.

SECTION D -

THE PREVENTION OF PUBLIC NUISANCE -

KEEPING NOISE LEVEL TO A MINIMUM.

THERE WILL BE NO EXCESSIVELY LOUD MUSIC BEING PLAYED.

ONCE A MONTH THERE WILL BE AN OPEN MIC NIGHT WITH NO AMPLIFIERS ONLY ACOUSTIC GUITARS.

OPEN MIC NIGHT WILL ONLY RUN ONCE A MONTH FROM 7pm to 9:30pm.

ONLY LOW LEVEL BACKGROUND MUSIC WILL BE PLAYED IN THE LOUNGE BAR DAILY.

CUSTOMERS WILL BE REMINDED TO BE QUIET WHEN LEAVING THE LOUNGE BAR AT CLOSING.

OUTSIDE SEATING WILL BE REMOVED AT 9:30 PM DAILY.

CUSTOMERS WHO ARE SEEN TO BE REOFFENDERS OF NUISANCE SHALL BE EJECTED FROM THE PREMISES INDEFINATELY.

ALCOHOL WILL NOT BE SERVED TO ALREADY INTOXICATED CUSTOMERS.

ALL MEMBERS OF STAFF WILL BE TRAINED IN THE ABOVE ACTIONS, AND LOGGING AND REPORTING.

SECTION E -

PROTECTION OF CHILDREN FROM HARM -

NO CHILDREN UNDER THE AGE OF 18 WILL BE PERMITTED INTO THE LOUNGE BAR, AT ANY TIME.

CHILDREN WILL BE PERMITTED INTO THE BISTRO WITH AN ADULT.

ALCOHOL WILL BE LIMITED FOR ADULTS WHO ARE ACCOMPANIED BY YOUNG CHILDREN.

SECTION E CONTINUED -

PROTECTION OF CHILDREN FROM HARM -

CHILDREN WILL BE PERMITTED INTO THE BISTRO ACCOMPANIED BY AN ADULT WHO IS EATING A SUBSTANTIAL MEAL IF CONSUMING ALCOHOL BETWEEN THE HOURS OF 11AM AND 9PM.

ANY INCIDENTS CONCERNING CHILDREN SHALL BE LOGGED IN LOG / INCIDENT BOOK AND REPORTED TO THE APPROPRIATE AUTHORITIES.

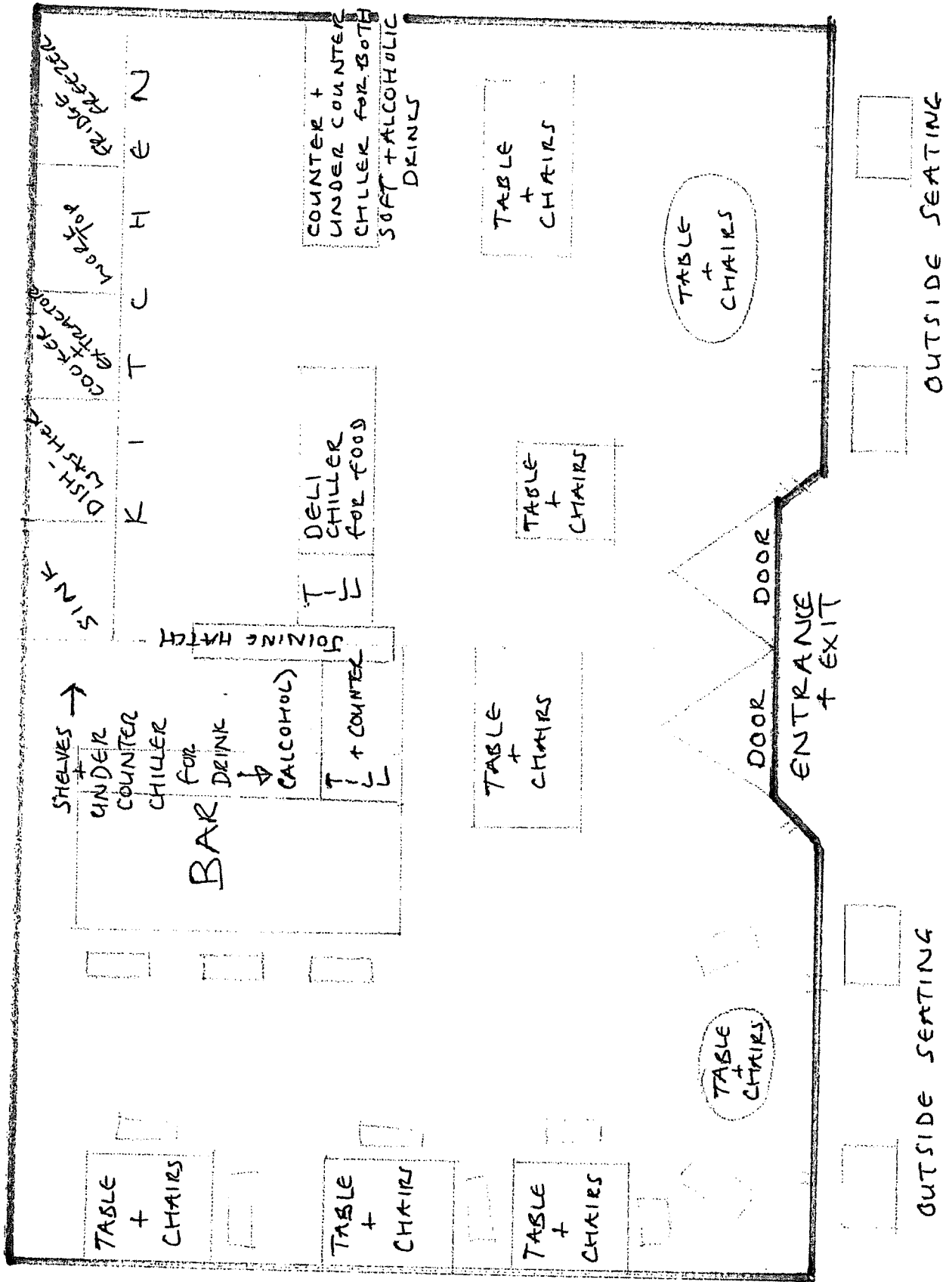
OTHER POLICIES THAT WILL BE IN PLACE -

ALCOHOL WILL ONLY BE SERVED IN THE BISTRO ALONG SIDE FOOD ORDERS AND NOT ON ITS OWN.

LOGS TO BE KEPT :-

- DISORDER, VIOLANCE OR/AND ANTI-SOCIAL BEHAVIOUR.
- ALL CRIMES REPORTED TO US.
- ALL CRIMES REPORTED TO POLICE.
- ALL CUSTOMERS THROWN OUT / EJECTED.
- ANY COMPLAINTS RECEIVED.
- SEIZURE OF DRUGS / WEAPONS.
- FAULTS IN C.C.T.V.
- ANY / ALL VISITS BY RESPONSIBLE LOCAL AUTHORITY OR EMERGENCY SERVICES.

8 and 10 QUEEN'S WALK, BEAR STREET, BARNSTAPLE, EX32 7DA



THE MAD
HATTERS
PLANT
BASED
BISTRO
AND
LOUNGE
BAR



The Licensing Team
Environmental Health & Housing
North Devon Council
PO BOX 379, Barnstaple, Devon,
EX32 2GR

Contact Details:
Tel: 01271 388870
Fax: 01271 388328
Email: licensing@northdevon.gov.uk
Web: www.northdevon.gov.uk/licensing

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

Form Ref: LA03/PL 14A

Data Protection

North Devon Council is the Data Controller.

Your personal information will be held and used in accordance with the requirements of the Data Protection Act 1998. We will use the information you have provided in connection with the administration of Licensing.

We may lawfully disclose information to other public sector agencies to:

- prevent or detect fraud and any other crime;
- support national fraud initiatives;
- protect public funds;
- progress your request for service.

We may also use basic information about you, e.g name and address, in other areas of service provision at North Devon Council if this:

- helps you to access our services more easily;
- promotes the more efficient and cost-effective delivery of services;
- helps us to recover monies that you owe us.

We will not use your personal information in a way that may cause you unwarranted detriment.

For further information regarding the National Fraud Initiative, please visit the Council's website – www.northdevon.gov.uk/fairprocessingnotice

If you require this document in an alternative format, please contact us.

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

If you are completing this form by hand, please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary. You should keep a copy of the completed form for your records.

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

Details

I, CASEY JAYNE REED
[full name of prospective premises supervisor]

of [unclear]
[unclear]

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A PREMISES LICENCE.
[type of application]

relating to premises licence

[number of existing licence, if any]

for MAD HATTER PLANT BASED BISTRO AND LOUNGE
8 AND 10 QUEENS WALK, BEAR STREET, BAR.
BARNSTABLE EX32 7DA.

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

CASEY JAYNE REED
[name of applicant]

concerning the supply of alcohol at

8 AND 10 QUEENS WALK, BEAR STREET,
BARNSTABLE, DEVON EX32 7DA.

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence number NDEVPA2675

[insert personal licence number, if any]

Personal Licence issuing authority NORTH DEVON COUNCIL - 01271 388415
[insert name and address and telephone number of personal licence issuing authority, if any]

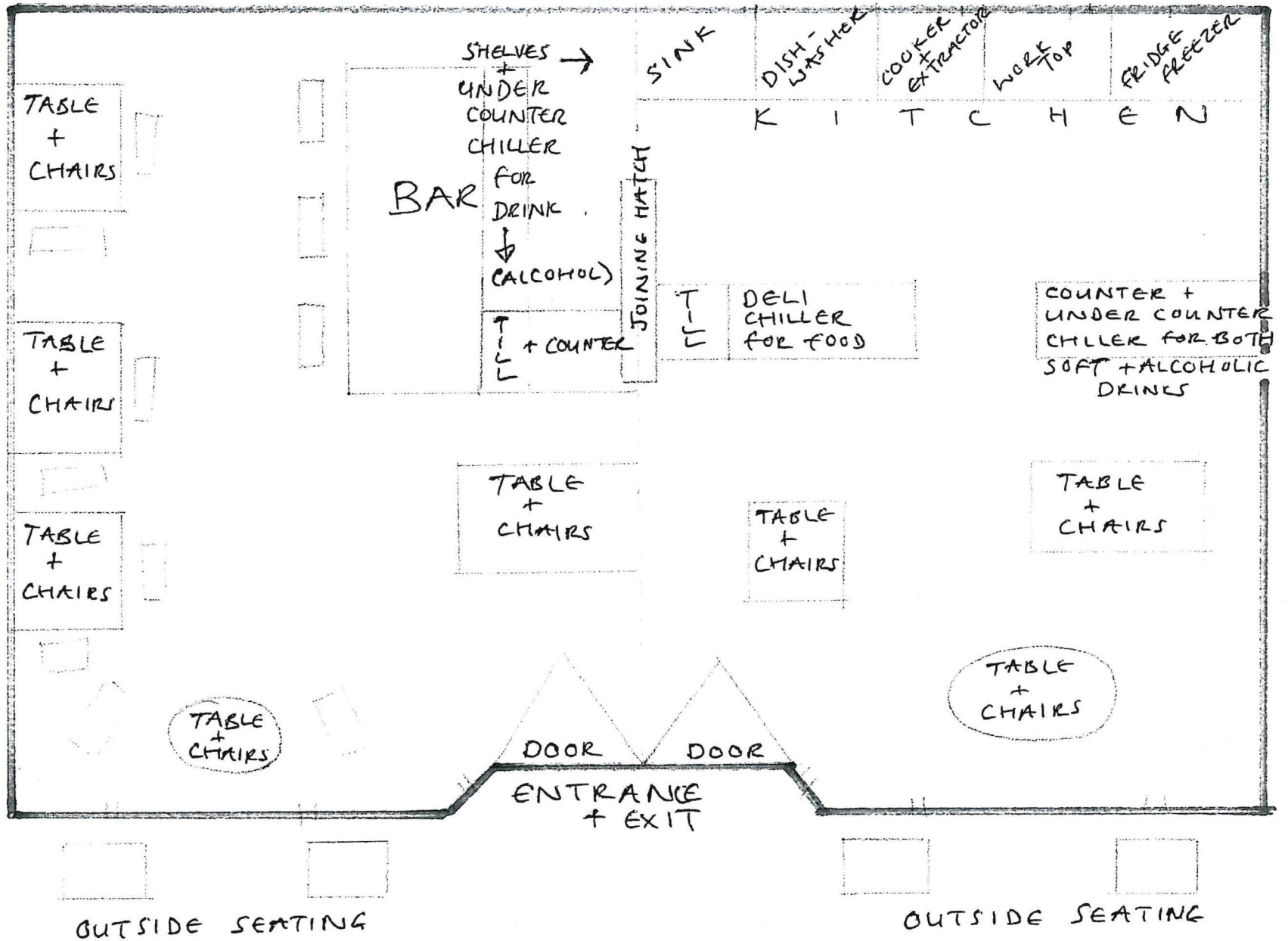
THE LICENCING TEAM, LYNTON HOUSE, COMMERCIAL ROAD
Signed [unclear] BARNSTABLE DEVON EX3 1DG

Name (please print) CASEY, REED

Date 11/6/2022

8 and 10 QUEEN'S WALK, BEAR STREET, BARNSTAPLE, EX32 7DA

THE MAD
HATTERS
PLANT
BASED
BISTRO
AND
LOUNGE
BAR
Page 37



This page is intentionally left blank



**Mad Hatter Plant Based Bistro and Lounge Bar 8 -10 Queens Walk Bear Street
Barnstaple EX32 7DA**

This page is intentionally left blank

NORTH DEVON COUNCIL
 Planning, Housing and Health
 Lynton House
 Commercial Road
 Barnstaple
 EX31 1DG



TOWN AND COUNTY PLANNING ACT 1990

PRE-APPLICATION ENQUIRY RESPONSE

Applicant:	Mrs C Thorne - Licensing Case Officer	Application No:	ENQ/0492/2022
Address:		Application Type:	Pre Application Enquiry
Agent:	Mrs C Thorne - Licensing Case Officer	Date of Registration:	1 July 2022
Address:		Date of Decision:	14 July 2022
Proposal:	Grant of a premises licence		
Location:	The Mad Hatters Plant Based Bistro 8-10 Queens Walk Bear Street Barnstaple Devon EX32 7DA		

Thank you for your enquiry which was received on the 1 July 2022. I understand the applicant operates a small takeaway/eat-in bistro serving sandwiches and salads etc with a hot food offering from a former shop and also has the neighbouring shop for which a premises licence is sought to operate a bar selling alcohol and some food.

The proposed alcohol sales will be from 11.00 to 21.30hrs Tuesdays to Thursdays and 11.00 to 22.00hrs Fridays and Saturdays and 12.00 to 16.00hrs on Sundays

I also note in the supporting text that the applicant is providing recorded music and an "open mic" night each month with live music.

The bistro has both inside and outside seating and is situated with flats above.

The main concern with regard to this application is the impact of the noise from the bistro and bar particularly as recorded and live music will be played. Neighbouring flats are situated above the premises and the noise impact may be significant. Whilst the opening times are restricted the potential for noise disturbance from the premises will extend until after 22.00hrs during the weekends and could lead to public nuisance.

The use of the ground floor areas of Queens Walk falls within Class E – Commercial, Business and Service, namely shops and services. This is the case for units 8 and 10 and no formal change of use from Class E has been approved. Use class E does not include shops that include the sale of hot food, wine bars and drinking establishments which have

License Sub-Committee Report – Planning

Mad Hatter Plant Based Bistro and Lounge Bar, 8 and 10 Queens Walk, Bear Street, Barnstaple,

EX32 7DA

24 August 2022

The application for an Alcohol License for the above premises give cause for concern from the Planning perspective. The use of the ground floor premises at Queens Walk is for shops which operate within normal shop trading hours.

The license application seeks to extend the opening hours and provide alcohol to customers who attend the existing Bistro and proposed Bar.

Situated directly above Queens Walk are 12 flats which are accessed via Queens Walk. It is the opinion of Planning that the use of the site for such an activity could give rise to noise and nuisance to the occupiers above.

Whilst I understand that a similar business operated from the site previously this was without planning approval.

Devon and Cornwall Constabulary's Alcohol Licensing Officer has raised no concern regarding the proposal however this is based upon no police logs being created in relation to the former business which operated from 8 Queens Walk. The lack of any formal police logs does not however, suggest that noise and public nuisance will not occur which will impact upon the residents above.

Whilst I acknowledge that the applicant has removed the "open mic" sessions for the application and reduced the opening hours this will go some way to addressing concerns however, the operation of an evening venue selling alcohol situated directly below a number of residential dwellings is not considered acceptable.

The operation of the business will be subject however, to a formal planning application being received and which will need to satisfy the concerns of Environmental Health in order to achieve officer support.



Queens Walk From Bear Street



Queens Walk showing entrance to flats



Unit 8 Queens Walk



Queens Walk viewed from Queen Street Car-Park

SECTION B: THE PREVENTION OF CRIME AND DISORDER

A comprehensive colour CCTV system must be put in place and be maintained and checked regularly.

All exit and entry areas must be covered by the CCTV system.

There will be no serving customers who seem to be intoxicated.

There will be no drug use allowed on the premises.

The lounge bar layout will prevent overcrowding for less chance of conflict, crime/disorder.

Crime prevention notices must be displayed in the window.

There will be no irresponsible promotions that may lead to excessive consumption of alcohol.

All incidents of crime and disorder will be logged appropriately and reported as necessary.

All staff must be trained in all above actions. Staff will also be trained to:

- Challenge 21: Challenge 21 sign must be situated on the till.

ID excepted will be:

- A photo driving licence.
- A passport.
- An ID card with the pass hologram on it.

If none of the above are presented, then the sale of alcohol will be refused. When the sale of alcohol is refused, this will be logged down in the log/incident book.

There will be training to spot intoxicated customers, and to refuse service.

There will be training on actions to take in an emergency.

There will be training on how to use the incident/log book, what information is needed, time, date, nature of incident, etc., and will be kept on the premises.

SECTION C: PUBLIC SAFETY

Public safety will be monitored by CCTV. Any, and all incidents, including violence, removal of drugs and weapons, shall be logged and reported as necessary to the appropriate authorities and/or emergency services.

There will be no serving customers who seem to be intoxicated.

There will be no drug use permitted on the premises.

No overcrowding will be permitted in the lounge bar.

Appropriate training to be given to all members of staff to carry out all of the above.

SECTION D: THE PREVENTION OF PUBLIC NUISANCE

Keeping noise level to a minimum.

There will be no excessively loud music being played.

Once a month, there will be an open mic night with NO amplifiers, only acoustic guitars.

Open mic night will only run once a month from 7.00 pm to 9.30 pm.

Only low level background music will be played in the lounge bar, daily.

Customers will be reminded to be quiet when leaving the lounge bar at closing.

Outside seating will be removed at 9.30 pm, daily.

Customers who are seen to be re-offenders of nuisance, shall be ejected from the premises indefinitely.

Alcohol will not be served to already intoxicated customers.

All members of staff will be trained in the above actions - logging and reporting.

SECTION E: PROTECTION OF CHILDREN FROM HARM

No children under the age of 18 will be permitted into the lounge bar at any time.

Children will be permitted into the bistro with an adult.

Alcohol will be limited for adults who are accompanied by young children.

Children will be permitted into the bistro accompanied by an adult who is eating a substantial meal, if consuming alcohol between the hours of 11.00 am and 9.00 pm.

Any incidents concerning children shall be logged in log/incident book and reported to the appropriate authorities.

Other policies that will be in place:

Alcohol will only be served in the bistro alongside food orders and not on its own.

Logs to be kept:

- Disorder, violence and/or anti-social behaviour.
- All crimes reported to us.
- All crimes reported to the Police.
- All customers thrown out/ejected.
- Any complaints received.
- Seizure of drugs/weapons.
- Faults in the CCTV.
- Any/all visits by responsible local authority or emergency services.

This page is intentionally left blank

Phil Fitzsimons

From: BUTLER Paul 58167 <XXXXXXXXXX.police.uk>
Sent: 29 July 2022 11:09
To: matt.brown@XXXXXXX uk; Beth Coles
cc: Phil Fitzsimons; Shirley Loder; Noel Bourke
Subject: Mad Hatter Plant Based Bistro, 8 & 10 Queens Walk, Barnstaple.
CAUTION: This email originated from outside North Devon Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Morning

I am aware that there is a concern from the Planning Department that the proposed Alcohol License for Mad Hatter Plant Based Bistro. As you are aware the previous owners of number 8, Four and Twenty Blackbirds Café, had an alcohol license. There have been NO Police Logs, Crimes or Intelligence regarding Noise, ASB, Violence, Violence to Women or Young Girls and disturbance in the area of Queens Walk or immediate vicinity since January 2020. When carrying out a NEW Application I visit, go through the Application, explain my expectations of the owners and DPS and highlight the Four Licensing Objectives. One of which is Public Nuisance. At no time did I have any concerns for the granting of the alcohol license for the establishment. For your information.
Kind regards.

Paul Butler.

XXXXX Paul Butler
Alcohol Licensing Officer
Devon and Cornwall Constabulary
Unit B
Leisureline House
Oakwood Close
Barnstaple
Devon EX31 3NJ Mobile XXXXXXXXX

This e-mail is intended for the named recipient(s) only and may contain privileged information, which is protected in law. If you have received this e-mail in error, please contact the sender to advise them and delete this e-mail. Unauthorised use, disclosure, copying or distribution is prohibited.

E-mail should not be regarded as a secure means of communication, we take all reasonable steps to ensure that emails are protected from malware, but cannot accept liability for any loss or damage, howsoever arising, as a result of their transmission to the recipients' computer or network.

For more information, or to contact us, please visit us at www.devon-cornwall.police.uk or www.dorset.police.uk or email [101 @devonandcornwall.pnn.police.uk](mailto:101@devonandcornwall.pnn.police.uk) or [101 @dorset.pnn.police.uk](mailto:101@dorset.pnn.police.uk)

This page is intentionally left blank

From: casey reed <XXXXXXXX.co.uk>
Sent: 26 July 2022 16:29
To: Licensing <licensing@northdevon.gov.uk>
Subject: Mad Hatter plantbased Bistro

CAUTION: This email originated from outside North Devon Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

In relation to my recent premises license application for the Mad Hatter plant based Bistro and Lounge Bar at 8 and 10 Queens Walk Bear Street Barnstaple Devon EX327DA, I am responding to the representation made by the planning department. My response is
To take away the open mic nights once a month in the lounge bar and
To close the bar at 9pm every night instead of 10pm on a Friday and Saturday.
If you would like to contact me to discuss this further please call me on XXXXXX.

Kind Regards
Casey Reed.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

This page is intentionally left blank