

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Sub Committee D held as a Virtual - Online meeting on Monday, 24th January 2022 at 10.00 am

PRESENT: Members:

Councillor Biederman (Chair)

Councillors Pearson and Tucker (substitute for Councillor Chesters)

Officers:

Legal Advisor, Solicitor, Paralegal and Licensing Officer

14. APPOINTMENT OF CHAIR

RESOLVED that Councillor Biederman be appointed chair for this meeting.

15. VIRTUAL MEETING ETIQUETTE AND PROCEDURE

The Chair introduced himself and asked the Sub-Committee members to introduce themselves along with the Officers present. The virtual meetings etiquette and procedures were read out. It was confirmed those members of the public who should be present were.

16. APOLOGIES FOR ABSENCE

There were no apologies for absence.

17. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

**18. APPLICATION FOR THE GRANT OF A PREMISES LICENCE;
FRESHWELL CAMPSITE, MOOR LANE, CROYDE, BRAUNTON,
NORTH DEVON, EX33 1PA REFERENCE NUMBER 053726**

Also present:

Mr Michael Symonds, applicant

Mr John Symonds, business partner of applicant, also supporting applicant Mr Marley.

Mr Seybold, Mr Hall, persons who had made representations.

Mr Dunkley, Solicitor representing Mr Whitty and Mr West, persons who had made representations.

Maggie Beaumont and Jayne Young, representing Georgeham Parish Council, persons who had made a representation.

The Sub-Committee considered a report for an application for a premises license in respect of Freshwell Campsite, Moor Lane, Croyde, Braunton, Devon, EX33 1PA (circulated previously) by the Licensing Officer.

The Licensing Officer confirmed that all the formal requirements had been met for the submission of the application.

The Legal Advisor outlined the hearing process.

The Licensing Officer presented his report.

The Chair invited Mr Michael Symonds, the applicant, to present his case.

Mr Symonds provided the Sub-Committee with the following information:

- To address concerns raised about off sales. It was the intention that this would be for people staying on the campsite.
- If a group of people walked onto the site and tried to purchase alcohol to take away they would be refused.
- The capacity of 100 was people seated at tables there would be no standing. If it helped to allay concerns this number would be reduced.
- There was concern over the number of sites in the village where takeaways could be bought. Their intention was to help reduce the amount of waste created.
- The applicant was very aware of the special place Croyde was and they were proud of their campsite and would not want to do anything to risk the business they had built up.

In response to questions Mr Symonds gave the following replies:

- On how arrival of cars would be managed, Mr Symonds replied that there was space on the bottom field for cars to park but that he wouldn't be expecting visitors to arrive in cars as the facilities were for the paying guests.
- Mr Symonds stayed on the site during the months they are open so he would be supervising the site. The gate was locked overnight.
- The site was for paying guests so an influx of people arriving on site would be refused access.
- The number of staff to be employed would be taken under advice of a friend who had 20+ years of experience in the trade.
- He would be happy to reduce the hours able to sell alcohol to 9 pm including bank holidays, the site would be empty and cleared by 9.30 pm.
- The months they were open to guests was May to September.
- The licenced area included the bottom field and on occasion, this was used as an overflow for tent pitches.
- There were male and female toilets available in the bottom field. This had not been indicated on the plan due to spacing needed to allow for Covid restrictions.

- As the months they were open meant lighter evenings there had been no consideration for the need for lighting on site. Once off the site, street lighting was available 100 meters down the road.
- The applicant stated they were working with Plastic Free North Devon to find solutions to waste reduction. Their booking form advised guests that drinking vessels were re-useable not recyclable. Guests also had to tick to confirm they understood the campsite was a family friendly site and as such the need for quietening down early.
- They sifted all the rubbish generated manually and sorted it into rubble bags, which they took to a recycling facility themselves.
- There had been events held on the site in the past, which included the Open Air cinema and Plastic Free North Devon workshops.

Mr John Symonds also added that if an all-male group made a booking they had to pay a 50% behaviour bond on top of the booking fee. This bond was non-refundable if the group broke the rules.

The Applicant had no witnesses to call.

Mr Dunkley, Solicitor, representing Mr Whitty and Mr West presented their case. Mr Dunkley gave the following concerns raised by his clients:

- He indicated on the plan where, the persons who had made representations, lived in connection to Freshwell Campsite.
- Even with the amendments offered by the applicant the proposed licenced area was still located in an area of outstanding natural beauty and wherever people were gathered drinking loud noise was inevitable.
- That the Application had to be treated very seriously and that any grant of licence would be in perpetuity and that the Sub-Committee should bear this in mind and the implications for same.
- His clients still had concerns in relation to the management of off sales and the final figure for the reduction of covers/seating capacity offered by the applicant.
- They felt that the application lacked sufficient information and detail.
- In terms of the four licensing objectives. The prevention of crime and disorder: No information was given on how staff would know who was meant to be on the site, and whether guests would be given badges to wear. The CCTV cameras that covered the bar area did not cover the whole site, no information given as to the range of coverage these cameras had. There was no mention of onsite supervisors, or how many staff would be present.
- Public Nuisance: No Noise Management Plan had been submitted with the application so there was no current background noise measurement. Presumably the sale of alcohol would increase noise levels.
- The Safeguarding of children: there was no perimeter fencing so children could come and go off site. There was insufficient evidence as to how this would be implemented to keep children safe from harm.

Mr Seybold, person who had made a representation, presented his case.

Mr Seybold gave the following information:

- He owned the campsite, Ocean Pitch, next door to Freshwell and got on well with the applicant.
- He fully supported small businesses and was happy with the surf hire, and coffee shop Freshwell provided. He even recommended Freshwell to his own customers.
- His concerns were over the maximum figures for capacity of the site being requested and the length of hours open for the sale of alcohol. He felt that the quiet nature of the area was under threat.
- Their own van selling food and drink was open from 5.30 pm to 7.30 pm and they would be changing this to 5 pm to 7 pm as they have found families go to bed early.
- They sold artisan beers in a can the size of a coke and limited this to one per food order.
- He thought the option for food was a great idea but had concerns about the bar. He suggested that a reduction in the seated capacity to 30 or 40 would be a more manageable number together with the reduction of opening hours to 8 pm.

Jayne Young, representing Georgeham Parish Council, who had made a representation, presented her case with the following:

- The site was located on a slope at an elevation, Croyde was a horse-shoe shape and sound could travel very easily across the whole bay.
- The rurality of Croyde made access to the site for emergency services via the track across a field difficult.
- The area was adjacent to a Site of Special Scientific Interest (SSSI) and potential impact of additional waste could have an impact upon the environment.

Maggie Beaumont, representing Georgeham Parish Council, who had made a representation, added the following:

- There had been confusion regarding the site location and the premises, as it had not been clearly defined on the application.
- With regards to the Parish Council meeting that the applicant had attended, she advised that events had been mentioned but it was unclear as to whether attendees at such events would be able to purchase alcohol.
- There was concern over the number of pop up sites throughout Croyde that had permission to sell alcohol and the Parish Council expressed that due consideration be given to this application. The site was also subject to planning conditions.

Due to sound difficulties Mr Hall, a person who had made a representation, could not be heard by the Sub-Committee. It was confirmed his written representation was attached to the agenda at Appendix I.

The applicant summed up. Mr Symonds stated he would take on board all the worries and concerns raised. He fully acknowledged that the application had provided limited information. However, the agent who had completed the application, was unaware of the sensitivity of the local area. He reconfirmed that

members of the public would not be able to walk off the beach and onto the site to purchase alcohol. He also acknowledged the objections and concerns raised. He advised that he would reduce the seated capacity from 100 to 50, and advised that not all the tables would be full so it was unlikely that the maximum capacity would be reached. He added that all staff would be fully trained.

In his summing up the Licensing Officer confirmed that each application made to the authority was considered on its own merits. He advised the Sub-Committee that the options available to them were listed at paragraphs 7.1 to 7.4 of his report. The amendments offered by the applicant during the hearing were wholly acceptable and formed part of the mediation process. The red line outlining the site covered the whole campsite and was the area covered by any licence granted. He also reminded the Sub-Committee that conditions volunteered by the applicant could be seen at Appendix D of the agenda.

Persons who had made a representation summed up.

Mr Dunkley summed up by stating that it was his clients wish that the application was refused. However, with the modifications offered, such as reducing the capacity and closing time to be 7.30 pm cleared by 8 pm was acceptable to his clients. It was good to know the site would be open from May. His clients felt that it wasn't clear how the licensing objectives could be met.

RESOLVED, that everyone be excluded from the meeting with the exception of Members, the Legal Advisors and Corporate and Community Services Officers in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED, that everyone be re-admitted to the meeting.

The Chair requested that the Legal Advisor read the proposed decision to the Sub-Committee:

“That the premises licence for the months of May to September, in respect of Freshwell Campsite, Moor Lane, Croyde, Braunton, Devon EX33 1PA be granted with the following conditions:

Prevention of Crime and Disorder

- (a) All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - (i) The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable
 - (ii) The hours and activities permitted by the premise's licence issued under the Licensing Act 2003 and conditions attached to the licence.
 - (iii) How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - (iv) Recognising the signs of drunkenness.

- (v) The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - (vi) Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
 - (vii) Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 Month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.
 - (viii) Training records will be retained for at least 2 years.
- (b) An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:
- (i) Any incidents of disorder or of a violent or anti-social nature.
 - (ii) All crimes reported to the venue, or by the venue to the police.
 - (iii) All ejections of patrons.
 - (iv) Any complaints received.
 - (v) Seizures of drugs or offensive weapons.
 - (vi) Any faults in the CCTV system.
 - (vii) Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.
- (c) Records must be completed within 24 hours of any incident, and will contain the time, date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
- (d) The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.
- (e) With the exception to users of the campsite and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted terminal hour for the supply of alcohol.
- (f) The consumption of and sale of alcohol shall cease on the site at 8 pm.
- (g) Open containers of alcohol shall not be removed from the site, except for consumption in any delineated area as shown on a plan to be attached to the licence
- (h) The sale and supply of alcohol, for consumption by table service at the seating area, as shown on the plan at Appendix B of the agenda, shall cover no more than 50 persons and shall be by waiter/waitress service only when seated.
- (i) Clear and legible signage must be prominently displayed in the outside area specifying that no drinks are to be taken into this area after 8.30 pm.
- (j) Customers shall not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers.

- (k) There shall be a Personal License Holder present on site at all times when the premises is authorised to sell alcohol.
- (l) Outside the hours authorised for the retail sale of alcohol and whilst the premises are open to the public, all alcohol within the premises (including alcohol behind the counter) must be secured in a locked storeroom or behind locked grilles, locked screens or locked cabinet doors to prevent access to the alcohol by both customers and staff.
- (m) No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles
- (n) There shall be no self-service of alcohol on the premises.
- (o) There shall be two SIA licensed supervisors on duty, one acting as gate/site manager and the other in the bar area, this in addition to two trained bar staff, whilst the premises is open for business.
- (p) A minimum of two SIA licensed supervisors shall be positioned at the exit from the premises at closing time.
- (q) A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspections and copying upon request by an authorised officer of a responsible authority.
- (r) Where supervisors are used to search patrons as a condition of entry, a written drugs policy formulated in consultation with the Police will be in place. The policy will include an agreed procedure for the handling and retention of any article seized.
- (s) A training programme surrounding substance misuse will be in place and training will be undertaken at annual intervals for all staff that deal with persons who are in the possession of/or incapacitated through the use of drugs or the combined effect of drugs and alcohol. Records will be maintained detailing the time and date of substance misuse training, the people who received the training, the name of the person delivering the training. Records will be kept for inspection for at least 12 months.
- (t) There must be at the premises a lockable drugs safe to which no member of staff save the DPS shall have access. All controlled drugs (or items suspected to be or contain controlled drugs) found at the premises must be placed in this safe as soon as practicable. Whenever this box is emptied all of its contents must be given to the police for appropriate disposal.
- (u) Clear and legible notices must be prominently displayed at the premises advising those attending that Police will be informed if anyone is found in possession of controlled substances or weapons. Appropriate security

arrangements will be in place including toilet areas and other similar areas being regularly checked for evidence of drugs. Signage will be displayed advising of such checks and a register kept of the checks and be available for inspection on request.

- (v) The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a campsite.
- (w) The premises shall only operate as a restaurant:
 - (i) In which customers are shown to their table
 - (ii) Where the supply of alcohol is by waiter or waitress service only
 - (iii) Which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery
 - (iv) Which does not provide any take away service of food or drink for immediate consumption
 - (v) Where alcohol is not to be sold, supplied, otherwise for consumption by persons taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

- (x) The premises shall install operate and maintain a comprehensive digital colour CCTV system to the satisfaction of the Police and local authority All public areas of the licensed premises including entry and exit points will be covered, including any outside areas under the control of the premises licence holder. The system must record clear images permitting the identification of individuals, and in particular enable facial recognition images (a clear head and shoulder image) of every person entering and leaving in any light condition. The CCTV system will continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All equipment must have a constant and accurate time and date generation. All recordings will be stored for a minimum period of 31 days with date and time stamping.

Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable, and in accordance with the Data Protection Act 2018 (or any replacement legislation). OR: A staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open.

This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

The applicable condition will be based on the size/location and business operation of the premises, assessed on an individual basis.

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

Prevention of public nuisance

- (a) Clear and legible notices shall be prominently displayed requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
- (b) No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.
- (c) A noise-limiting device (the specification and design to be agreed with North Devon Council's Environmental Protection Team) shall be fitted so that all recorded music is channelled through the device(s). The maximum noise levels will be set by agreement in a Noise Management Plan to be submitted to and agreed by North Devon Council's Environmental Protection Team and will be reviewed from time to time as appropriate.
- (d) All outside areas must be closed and cleared of customers by 8.30 pm. Adequate notices shall be displayed to inform customers of this requirement.
- (e) All the rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting lockable lid.
- (f) All waste shall be properly presented and placed out for collection. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas when appropriate on the following day.
- (g) During the hours of operation of the premises, sufficient measures will be taken to remove and prevent litter and waste arising or accumulating from customers in the area immediately outside the premises. This area shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- (h) Sufficient measures must be in place to remove litter or waste arising from customers and to prevent such litter/waste accumulating in the immediate vicinity of their premises. Where necessary adequate measures must be in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter etc.

- (i) A sufficient number of suitable receptacles must be located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc. by customers.
- (j) All packaging provided with takeaway food must be marked in some way as to show its point of origin.
- (k) Where a mobile unit is regularly removed from site, steps must be taken to ensure that site is properly cleaned and that any accumulations, surface grease etc. is properly cleansed and removed from the site.
- (l) The use of lighting in the licensed premises area shall cease at 9pm hours except for health and safety or security reasons.

Public Safety

- (a) The maximum number of persons allowed at the premises shall not exceed 50 plus the appropriate number of staff needed to manage the site.
- (b) Seating for no less than 50 persons shall be provided in the premises at all times the premises are in operation.
- (c) The Premises Licence Holder or nominated person shall ensure that the accommodation limit(s) specified on the licence is/are not exceeded and shall be aware of the number of the people on the premises at all reasonable times. This information shall be immediately available on the request of an authorised officer of a responsible authority.
- (d) A suitable system maintained by the Gate/Site supervisor to accurately indicate the number of customers are on site and any time during licensed hours.
- (e) In respect of temporary sanitary facilities the servicing of sanitary accommodation must take place on a continuous basis throughout the event to ensure the sanitary accommodation is kept in a usable condition at all times when the public require it to be available.
- (f) In respect of temporary sanitary facilities, the removal of sewage must take place hygienically and appropriately at the conclusion of the event or as required.
- (g) In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be operational whilst the public are present.
- (h) Supervisors shall be properly briefed and trained to manage queues in a safe and efficient manner.
- (i) All drinks are to be served in reusable plastic/paper/toughened glass or polycarbonate containers at the table.

- (j) Except for the sale of a bottle of wine for consumption with a meal in the (designate area of the premises), no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar.

Protection of Children from Harm

- (a) All bar staff, supervisors and managers must be trained in the legality and procedure of alcohol sales, using the SWERCOTS on-line training pack (or equivalent), prior to undertaking the sale of alcohol and then at least every 12 months. Training shall be signed and documented. Training records must be kept on the premises and be made available for inspection and copying to an authorised officer of a responsible authority on request. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.
- (b) There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:
 - (i) A photo driving licence
 - (ii) A passport
 - (iii) An identification card carrying the PASS hologram.

Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18 years old.

- (c) The premises shall display prominent signage indicating in all areas where alcohol is located, that a Challenge 25 scheme is in operation.
- (d) An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
 - (i) the date and time of refusal
 - (ii) the reason for refusal
 - (iii) details of the person refusing the sale
 - (iv) description of the customer
 - (v) any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.”

The Licensing officer reminded the Sub-Committee of paragraph 2.7 of his report in which it was stated that “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.....” The Licensing Officer also advised the Sub-Committee that page 133 of the 182 Guidance gives a general exemption on live music between the hours of 08:00 to 23:00 to an audience of less than 500.

The applicant was invited to respond to the conditions proposed.

Mr Symonds replied that there was a lot to take in and go over, that he was grateful for the grant of this Licence, but that he did have two main queries. He was concerned the use of the wording security staff gave the wrong impression straight away, he was unaware of any of the pubs in the village needing to have two door supervisors. The cost of this would be restrictive. Would there still be a need for two SIA licensed staff if no alcohol was being served?

With regard to the restriction on live music, he totally understood that. His concern was that there was a local busker who sometimes came to their campsite to play acoustic guitar using a small portable amp. Would this be allowed?

Councillor Tucker was happy to amend the proposed condition allowing this small amount of music amplification as long as a Noise Management plan was submitted.

Councillor Pearson seconded this amendment.

The Chair agreed that if no alcohol was being served there was no need for two SIA licensed staff to be on duty.

RESOLVED that the premises licence in respect of Freshwell Campsite, Moor Lane, Croyde, Devon, EX33 1PA (reference 053726), be granted with the following conditions:

Prevention of Crime and Disorder

- (a) All staff engaged in licensable activity at the premises will receive training and information in relation to the following:
 - (i) The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable
 - (ii) The hours and activities permitted by the premise’s licence issued under the Licensing Act 2003 and conditions attached to the licence.
 - (iii) How to complete and maintain the refusal register in operation at the premises (in relation to the sale of alcohol).
 - (iv) Recognising the signs of drunkenness.
 - (v) The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.
 - (vi) Action to be taken in the event of an emergency, including reporting an incident to the emergency services.
 - (vii) Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 12 Month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

- (viii) Training records will be retained for at least 2 years.
- (b) An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:
 - (i) Any incidents of disorder or of a violent or anti-social nature.
 - (ii) All crimes reported to the venue, or by the venue to the police.
 - (iii) All ejections of patrons.
 - (iv) Any complaints received.
 - (v) Seizures of drugs or offensive weapons.
 - (vi) Any faults in the CCTV system.
 - (vii) Any visits by a responsible authority (under the Licensing Act 2003) or emergency service.
- (c) Records must be completed within 24 hours of any incident, and will contain the time, date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
- (d) The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.
- (e) With the exception to users of the campsite and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted terminal hour for the supply of alcohol.
- (f) The consumption of and sale of alcohol shall cease on the site at 8 pm.
- (g) Open containers of alcohol shall not be removed from the site, except for consumption in any delineated area as shown on a plan to be attached to the licence
- (h) The sale and supply of alcohol, for consumption by table service at the seating area, as shown on the plan at Appendix B of the agenda, shall cover no more than 50 persons and shall be by waiter/waitress service only when seated.
- (i) Clear and legible signage must be prominently displayed in the outside area specifying that no drinks are to be taken into this area after 8.30 pm.
- (j) Customers shall not be permitted to remove from the premises any drinks supplied by the premises (alcoholic or otherwise) in open containers.
- (k) There shall be a Personal License Holder present on site at all times when the premises is authorised to sell alcohol.
- (l) Outside the hours authorised for the retail sale of alcohol and whilst the premises are open to the public, all alcohol within the premises (including alcohol behind the counter) must be secured in a locked storeroom or behind locked grilles, locked screens or locked cabinet doors to prevent access to the alcohol by both customers and staff.

- (m) No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles
- (n) There shall be no self-service of alcohol on the premises.
- (o) There shall be two SIA licensed supervisors on duty, one acting as gate/site manager and the other in the bar area, this in addition to two trained bar staff, whilst the premises is open for business.
- (p) A minimum of two SIA licensed supervisors shall be positioned at the exit from the premises at closing time.
- (q) A written drugs policy shall be in place and operated at the premises. It must detail the actions taken to minimise the opportunity to use or supply illegal substances within the premises. The policy must be made available for inspections and copying upon request by an authorised officer of a responsible authority.
- (r) Where supervisors are used to search patrons as a condition of entry, a written drugs policy formulated in consultation with the Police will be in place. The policy will include an agreed procedure for the handling and retention of any article seized.
- (s) A training programme surrounding substance misuse will be in place and training will be undertaken at annual intervals for all staff that deal with persons who are in the possession of/or incapacitated through the use of drugs or the combined effect of drugs and alcohol. Records will be maintained detailing the time and date of substance misuse training, the people who received the training, the name of the person delivering the training. Records will be kept for inspection for at least 12 months.
- (t) There must be at the premises a lockable drugs safe to which no member of staff save the DPS shall have access. All controlled drugs (or items suspected to be or contain controlled drugs) found at the premises must be placed in this safe as soon as practicable. Whenever this box is emptied all of its contents must be given to the police for appropriate disposal.
- (u) Clear and legible notices must be prominently displayed at the premises advising those attending that Police will be informed if anyone is found in possession of controlled substances or weapons. Appropriate security arrangements will be in place including toilet areas and other similar areas being regularly checked for evidence of drugs. Signage will be displayed advising of such checks and a register kept of the checks and be available for inspection on request.
- (v) The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a campsite.

(w) The premises shall only operate as a restaurant:

- (i) In which customers are shown to their table
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- (iii) Which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery
- (iv) Which does not provide any take away service of food or drink for immediate consumption
- (v) Where alcohol is not to be sold, supplied, otherwise for consumption by persons taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

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Viewable copies of recordings will be provided on request to the Police and local authority officers as soon as is reasonably practicable, and in accordance with the Data Protection Act 2018 (or any replacement legislation). OR: A staff member from the premises who is conversant with the operation of the CCTV system, shall be on the premises at all times when the premises are open.

This staff member must be able to provide an authorised officer of a responsible authority, copies of recent CCTV images or data with absolute minimum of delay when requested in accordance with the Data Protection Act 2018 (or any replacement legislation).

The applicable condition will be based on the size/location and business operation of the premises, assessed on an individual basis.

The CCTV system will be capable of downloading images to a recognisable viewable format.

There will be security measures in place to ensure the integrity of the system to prevent the tampering with, and deletion of, images.

Prevention of public nuisance

- (a) Clear and legible notices shall be prominently displayed requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
- (b) No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises. Small portable amps may be used.
- (c) A noise-limiting device (the specification and design to be agreed with North Devon Council's Environmental Protection Team) shall be fitted so that all recorded music is channelled through the device(s). The maximum noise levels will be set by agreement in a Noise Management Plan to be submitted to and agreed by North Devon Council's Environmental Protection Team and will be reviewed from time to time as appropriate.
- (d) All outside areas must be closed and cleared of customers by 8.30 pm. Adequate notices shall be displayed to inform customers of this requirement.
- (e) All the rubbish produced by the premises shall be stored securely in a designated area or in a bin with a tight fitting lockable lid.
- (f) All waste shall be properly presented and placed out for collection. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas when appropriate on the following day.
- (g) During the hours of operation of the premises, sufficient measures will be taken to remove and prevent litter and waste arising or accumulating from customers in the area immediately outside the premises. This area shall be swept and/or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- (h) Sufficient measures must be in place to remove litter or waste arising from customers and to prevent such litter/waste accumulating in the immediate vicinity of their premises. Where necessary adequate measures must be in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter etc.
- (i) A sufficient number of suitable receptacles must be located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc. by customers.
- (j) All packaging provided with takeaway food must be marked in some way as to show its point of origin.

- (k) Where a mobile unit is regularly removed from site, steps must be taken to ensure that site is properly cleaned and that any accumulations, surface grease etc. is properly cleansed and removed from the site.
- (l) The use of lighting in the licensed premises area shall cease at 9pm hours except for health and safety or security reasons.

Public Safety

- (a) The maximum number of persons allowed at the premises shall not exceed 50 plus the appropriate number of staff needed to manage the site.
- (b) Seating for no less than 50 persons shall be provided in the premises at all times the premises are in operation.
- (c) The Premises Licence Holder or nominated person shall ensure that the accommodation limit(s) specified on the licence is/are not exceeded and shall be aware of the number of the people on the premises at all reasonable times. This information shall be immediately available on the request of an authorised officer of a responsible authority.
- (d) A suitable system maintained by the Gate/Site supervisor to accurately indicate the number of customers are on site and any time during licensed hours.
- (e) In respect of temporary sanitary facilities the servicing of sanitary accommodation must take place on a continuous basis throughout the event to ensure the sanitary accommodation is kept in a usable condition at all times when the public require it to be available.
- (f) In respect of temporary sanitary facilities, the removal of sewage must take place hygienically and appropriately at the conclusion of the event or as required.
- (g) In the absence of adequate daylight, artificial lighting in any area accessible to the public shall be operational whilst the public are present.
- (h) Supervisors shall be properly briefed and trained to manage queues in a safe and efficient manner.
- (i) All drinks are to be served in reusable plastic/paper/toughened glass or polycarbonate containers at the table.
- (j) Except for the sale of a bottle of wine for consumption with a meal in the (designate area of the premises), no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar.

Protection of Children from Harm

- (a) All bar staff, supervisors and managers must be trained in the legality and procedure of alcohol sales, using the SWERCOTS on-line training pack (or equivalent), prior to undertaking the sale of alcohol and then at least every 12 months. Training shall be signed and documented. Training records must be kept on the premises and be made available for inspection and copying to an authorised officer of a responsible authority on request. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.
- (b) There will be in place a written age verification policy in relation to the sale or supply of alcohol, which will specify a Challenge 25 proof of age requirement. This means that staff working at the premises must ask individuals who appear to be under 25 years of age, attempting to purchase alcohol, to produce identification. The only acceptable identification documents will be:
 - (iv) A photo driving licence
 - (v) A passport
 - (vi) An identification card carrying the PASS hologram.

Unless such identification is produced the sale of alcohol must be refused. This policy will include documented steps taken to prevent adults from purchasing alcohol for or on behalf of children under 18 years old.

- (c) The premises shall display prominent signage indicating in all areas where alcohol is located, that a Challenge 25 scheme is in operation.
- (d) An alcohol sales refusal register shall be kept at the premises and be maintained to include details of all alcohol sales refused. The register will include:
 - (i) the date and time of refusal
 - (ii) the reason for refusal
 - (iii) details of the person refusing the sale
 - (iv) description of the customer
 - (v) any other relevant observations.

The refusals register will be made available for inspection and copying on request of an authorised officer of a responsible authority. All entries must be made within 24 hours of the refusal.

Chair

The meeting ended at 2.29 pm

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.

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