

From: [Licensing](#)
Sent: 19 July 2022 12:23
To: [Noel Bourke](#); [Phil Fitzsimons](#)
Subject: FW: Representations - Application Reference: 054716 - Vintage 21
Attachments: [Reps_Letter.pdf](#)
[Comparison Notices.pdf](#)
[LocationPlan.pdf](#)
[Photograph of applicant notice.pdf](#)
[Plans with application.pdf](#)

Shirley Loder – Licensing Case Officer
The Licensing Team
North Devon Council
PO Box 379
Barnstaple
Devon
EX32 2GR
Tel: 01271 388415

From: Joe Harvey [REDACTED] o.uk>
Sent: 19 July 2022 12:05
To: Licensing <licensing@northdevon.gov.uk>
Cc: Jonathan Smith [REDACTED] co.uk>
Subject: Representations - Application Reference: 054716 - Vintage 21

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Dear Sirs,

Please see attached letter and enclosures.

Yours

Joe Harvey | Associate Solicitor

Poppleston Allen

E:j.harvey@popall.co.uk | M:[0794 6041 821](tel:07946041821) | W:www.popall.co.uk

Nottingham Office: 37 Stoney Street, The Lace Market, Nottingham, NG1 1LS

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Business continues as usual. A number of our team continue to work securely from home and remain available via email or phone. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending out hard copy documents by post.

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The Licensing Team
The Licensing Authority
North Devon Council
PO Box 379
Barnstaple
Devon
EX2 2GR

Date: 19 July 2022

Our ref:

Your ref:

E-mail:

Direct line:

19 July 2022

[REDACTED]

Doc Ref:

[REDACTED] co.uk

[REDACTED]

By E-mail to: licensing@northdevon.gov.uk

Dear Sirs,

Re: Application Reference 054716 - Representations

We are instructed by Jane Young, a local resident, to make representations regarding the above application made by the Red Panda Partnership Ltd in respect of a Premises Licence for a Horse Lorry known as Vintage 21.

Firstly, we would object to the form of the application itself, as it is a legal requirement that the notice be printed on blue paper. As you can see from the enclosed photograph of the notice, when compared against others our client has sent us from recent applications in the area, the notice is printed on off-white paper. As such, the notice of the application itself is not valid.

Our client is also concerned about who is actually going to be responsible for the premises. The application has been submitted by Red Panda Partnership Ltd. T/A Vintage 21. The application lists Barbara Zydzik as the Designated Premises Supervisor. It also lists Gabriela Marchewak as the director of the company. However, she is not listed as a director or a person with significant control with Companies House. Red Panda Partnership Ltd. is currently subject to a notice of compulsory strike-off and is due to be struck off later this year as things currently stand. We understand that Gabriella Marchewak is a counsellor with Barnstaple Town Council. Her involvement with Red Panda Partnership Ltd. is not declared on her declarations of interests as published on their website. As such, we submit that the Committee should have very real concerns about who is actually making this application and to what extent the information contained in it is correct and reliable; our client has concerns about who is responsible for promoting the Licensing Objectives.

The application, as we understand it, would enable the operators of the converted Horse Lorry to park their vehicle in the area defined in red on a plan (attached) which appears have

List of partners and associates available on request

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Offices also in London

been prepared by the council and not the applicant. The application is to serve alcohol (for consumption on and off the premises) and play recorded music between the hours of 12:00 and 21:30. The alcohol is for sale on and off the premises 7 days per week. The conditions offered in the operating schedule appear to be copied and pasted from another application since they refer to conditions more akin to an internal area in licensed premises rather than a Horse Lorry and an outside area. We are sure the applicant will be able to explain how they will observe these conditions at a hearing. If they have simply been copied and pasted however, this calls into question the credibility of the applicant and their ability to observe these conditions in this limited area.

Our client's chief concerns relate to the impact on public safety, public nuisance and the protection of children. As far as we have been able to ascertain from the published plans, Vintage 21 will be licenced to sell alcohol and there appear to be no drinking areas on the submitted plans. The plans are also contradictory. There are in fact two plans showing the geography of the area. There is a plan which appears to be a Google Earth map and there is an OS map which bears the North Devon Council logo. Which of these have been provided by the applicant? Which plan is to be relied on since the areas are different on the two plans; the area shown edged in red on the OS plan being larger than the area edged red on the Google Earth Plan?

The application refers to "After 22.00 no drinks are to be taken to the outside area" but it is not clear where the outside area is. Isn't the whole public area outside? When drinks are not sold after 21:30 what does this assurance add? We are not aware that the applicant has applied for a Pavement Licence and neither the description nor the plans give details as to where the Applicant intends customers to drink. We would argue that it would be reasonable to assume that they will be effectively offering a takeaway drinks service. The obvious implication of this is that drinks are likely to be served in bottles or disposable drinking vessels which inevitably will lead to increased amounts of littering in the immediate vicinity.

The Applicant has also indicated that they intend to install CCTV at the premises. We assume that that they mean there will be CCTV installed on the lorry. This appears to suggest that the Applicant considers the lorry to be the premises rather than the land it is parked on.

We are sure that the operators of Vintage 21 will endeavour to minimise the presence of litter. Our client is, nonetheless, concerned that it is inevitable that their customers will take their drinks away to areas outside of any litter provisions put in place by the operators. The temptation to throw bottles, cans and drinkware into nearby bushes and hedges is just too great. Our client instructs us that Devon County Council public rights of way contractors have recently undertaken maintenance of the hedges along the public footpath via which the carpark is accessed and have encountered issues with litter affecting their equipment. The risk posed by shattering glass or shredded metal cannot be overstated.

The Licensing Authority will be aware that the proposed premises are in the immediate vicinity of two areas which are specifically for young people; the skate park and the Play Area; both of which are adjacent to Croyde Village Hall and the public car park. These important community venues, if the application is granted, will be regularly exposed to risks of the sale of alcohol. Whilst our client has no doubt that the operators will adhere to age

verification procedures, there are nonetheless legitimate concerns that intimidating groups of people will gravitate to this area as they are able to get alcohol and 'hang about' whilst intimidating genuine users of the nearby facilities. It is a very real concern that, even those younger people of drinking age, may find the combination of alcohol and harassing others too tempting. The prediction that anti-social groups would get drink from Vintage 21 and then sit in the park and intimidate genuine users is entirely realistic. The playing of music from the premises will only actuate this temptation. Such anti-social behaviour is something that the local community strives to eliminate. There are plenty of other drinking establishments nearby for those who wish to socialise in an appropriate manner.

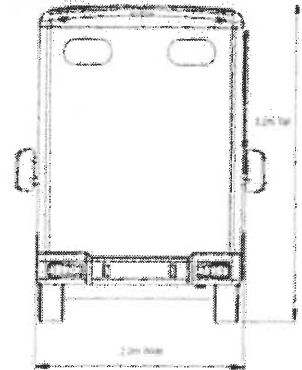
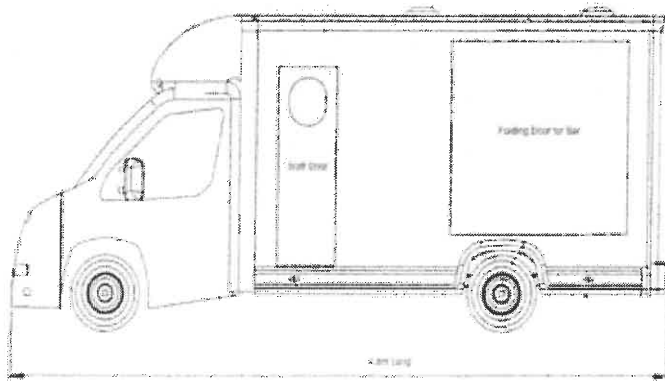
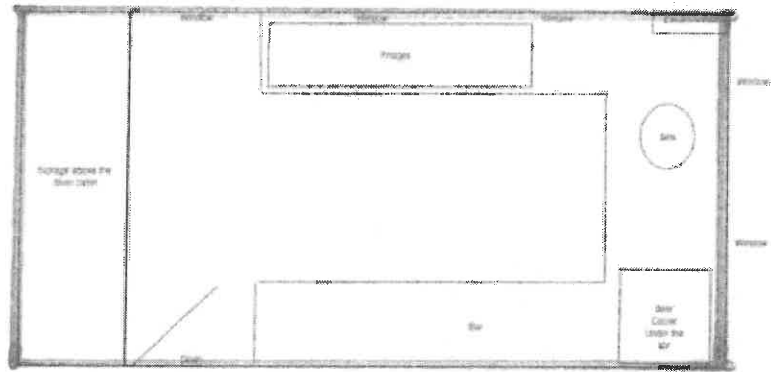
We would also raise concerns in respect of the playing of music. The written application suggests that the music will be background music. If that was the case, then the applicant would not need this to be licensed for recorded music. In any event, if the application is granted, the applicant would be able to rely on the Live Music Act 2012 and would be able to play amplified live and recorded music up until 23:00 in the licensed outside area with little oversight or regulation. Any conditions offered under the heading public nuisance in the application to control live or recorded music would be "suspended" under the Live Music Act 2012. The implications for this, given the nature of the location would only aggravate concerns about nuisance and anti-social behaviour.

In the circumstances, on behalf of our client, we would urge the Licensing Committee to refuse this application on the grounds that, if granted, it would pose a significant risk to the community through disorder, safety, nuisance and exposing children to risk.

Yours faithfully



Jonathan Smith
Poppleston Allen







244401, 139182

NOTICE ISSUED PURSUANT TO THE LICENSING ACT 2003

Application Reference:	054716	
*Licence Type:	Grant of Premises Licence	
Applicant/Club Name (s):	Red Panda Partnership T/A Vintage 21	
Premises to be Licensed (or description):		
Vintage 21 Horse Lorry, Car Park accessed off Sandy Lane, Croyde, Devon, Grid Reference 244401,139182 (across stream from village hall)		
Proposed Licensable Activities:		
1. To enable the supply of alcohol on and off the premises Monday to Sunday from 12:00 hours to 21:30 hours. 2. To enable recorded music on the premises Monday to Sunday from 12:00 hours to 21:30 hours.		
If Applicable, Qualifying Club Activities:		
If Applicable, Details of Variation to Licensable Activities:		
Representations:	These must be made in writing to the address below.	
Representations can be made within 28 consecutive days, starting the day after receipt of the application by the Council.	To be considered, representations must be received by the Council by:	
	DATE:	22 July 2022
It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is unlimited.		
Representations should be received by The Licensing Team, North Devon District Council, Lynton House, Commercial Road, Barnstaple, Devon, EX31 1DG or by email to: licensing@northdevon.gov.uk The Licensing Act 2003 Public Register/Record of Applications can also be viewed at the same offices, Monday to Friday between 9am and 5pm or on the web: www.northdevon.gov.uk/licensing		
* In the case of an application for a Provisional Statement (premises being/about to be constructed/alterd); representations are restricted after the issue of the Statement.		

PUBLIC NOTICE
LICENSING ACT 2003

To whom it may concern:

I Michael Symonds do hereby give notice that I have applied to the Licensing Authority at North Devon District Council for the grant of a Premises Licence at Moor Lane, Croyde Bay, North Devon EX33 1NP and known as Freshwell Camping.

The application is for the retail sale of alcohol on and off the premises Monday to Sunday 11.00 to 22.00

Any person wishing to make representations to this application may do so by writing to The Licensing Team, North Devon District Council, Lynton House, Commercial Road, Barnstaple, Devon, EX31 1DG not later than 28 days after the date of this notice (as below). Representations received after this date will not be considered.

A copy of the application can be viewed at the Licensing Authority's address during normal office hours.

It is an offence knowingly or recklessly to make a false statement in connection with this application, the maximum fine on summary conviction is unlimited.

Dated 26th November 2021

Applicant's Agent: Knight Training UK Ltd
0330 999 3199 info@knighttraining.co.uk knight.training

**Notice of application to vary a Premises Licence under
Section 34 of the Licensing Act 2003**

Notice is hereby given that Parkdean Holiday Parks Limited in respect of Premises known as Ruda Holiday Park, Croyde Bay, Braunton, EX33 1NY applied to North Devon District Council for a Variation of a Premises Licence.

The proposed variation is to amend the layout plans to include a new "Thunderbird Fried Chicken restaurant / takeaway" within Ruda Holiday Park; to provide the sale of alcohol both on and off the premises from within the new restaurant Monday to Sunday 1000 to 0100 the following morning, late night refreshment Monday to Sunday 2300 to 0100 the following morning; all licensable activities within the new restaurant to be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day; all other licensed areas, activities, hours and conditions to remain as existing.

Any representations regarding the above-mentioned application must be received in writing by The Licensing Authority, North Devon Council, PO Box 379, Barnstaple, EX2 2GR, no later than 29th June 2022 stating the grounds for representation.

The register of North Devon District Council and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website - www.northdevon.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application. A person is liable to an unlimited fine on conviction should such a false statement be made.

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