



Falmouth Town Council

AMW/EJM

8th January 2019

TO: All Members of the Licensing Committee
Councillors S D Eva (Chair), M C Morgan (Vice Chair), R J Bonney, A J Gillett, A Parker
and D W Saunby CC

All other Members for information.

Dear Councillor

I hereby invite you to attend a meeting of the Licensing Committee to be held in the Council Chamber, Municipal Buildings, The Moor, Falmouth on Monday 14th January 2019 at 6.30pm for the purpose of transacting the following business.

Yours sincerely

Town Clerk

AGENDA

Chairman's Announcements

1. **APOLOGIES**
To receive and approve apologies for absence.
2. **INTERESTS**
To receive declarations of interests in respect of items on the agenda.
3. **MINUTES**
To receive the minutes of the meeting of the Committee held on 7th January 2019. (1)
4. **CORNWALL COUNCIL LICENCES**
Variation to License, Pasty Shack, 60 Church Street, Falmouth
To consider an application for Pasty Shack for the extension of hours for late night refreshments with increase of hours from 2300 hours to 0300 hours Monday to Sunday. (2-18)

Variation to License, Falmouth Service Station, 60 Dracaena Avenue, Falmouth
To consider an application for Falmouth Service Station for extension of alcohol to 24 hours daily, amendment to condition, alterations to premises. (to follow)



Town Clerk
A.M. Williams FCIS

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FALMOUTH TOWN COUNCIL

Minutes of a meeting of the Licensing Committee held on Monday 7th January 2019 in the Council Chamber, Municipal Buildings, Falmouth at 6.30pm.

Present: Councillors S D Eva (Chairman), M C Morgan (Vice-Chair), R J Bonney, A J Gillett, A Parker and D W Saunby CC

In Attendance: A M Williams (Town Clerk)
J Williams (Applicant)

LSC275 **APOLOGIES**
None received.

LSC276 **INTERESTS**
None received.

LSC277 **MINUTES**
It was proposed by Councillor Parker, seconded by Councillor Morgan and

RESOLVED that the minutes of the meeting held on 10th December 2018 be agreed as a correct record of the proceedings and signed by the Chair.

LCS278 CORNWALL COUNCIL LICENCES

Variation to License, Small Ships, Quay Street, Falmouth

Jack Williams advised that he had been a licensee in Falmouth for over ten years, running the 5 Degrees below premises for four years. He had acquired the Small Ships premises in 2017 (formerly Rumours Wine Bar) and had rationalised the licensing arrangements. He had re-sited the bar. Capacity was fifty people seated of a mixed clientele. He now sought a terminal hour of 0200 for the provision of recorded music (indoor only), films and supply of alcohol (on and off sales) Monday to Sunday, with the premises opening until 0230 hours. He had conducted an informal noise survey which he provided to the Committee.

The Chairman advised that the Police Licensing Officer had raised no objections and the premises was in the Cumulative Impact Zone but enjoyed an existing license.

It was proposed by Councillor Bonney, seconded by Councillor Morgan and

RESOLVED that the Council raises no objections to the variation to license.

There being no further business to transact the Chairman declared the Meeting closed at 4.50pm.

Signed: Date:

Why am I applying?

The overall driver for this application is to increase turnover to the business to ensure it survives:

- Surviving on the high street is tough and is well publicised in the news. Footfall is reducing and is predicted to get worse
- Rent and Rates are very high and these costs are non-negotiable
- There are numerous options for food and drink in Falmouth so competition is high. A number of cafes have recently sold due to not being able to make it work as a business
- A number of shops have already closed eg Henri Lloyd, Thorntons, Edinburgh Wool, Carphone Warehouse and these premises remain empty after a long period of time
- Another closed shop is not desirable
- M & S are about to shut at the end of January which will be a huge loss to the town and lead to a decrease in daytime footfall
- Falmouth benefits from being a Student town, however they are mainly in the town late at night
- The road is closed for the first 3 months of each year for a 4 – 5 year period for essential works and this has a detrimental affect on turnover

Why the application is positive?

- Whilst there are already some late night refreshment outlets available, Pasty Shack offers something different and gives wider choice
- Those other outlets are not near to Pasty Shack, thereby diluting any congregation of people in a concentrated area
- Pasty Shack is close to Mangos and The Grapes, both of which have Security. Pasty Shack would also have SIA Door Staff. All Security groups can work together to ensure any potential disturbance is avoided thereby reducing ENTE
- Creates employment
- Enables Pasty Shack to survive! Thus ensuring payment of rates to the Council are maintained
- Our proposal has been well received having spoken to members of the local community
- Other premises locally have recently been granted late refreshment licences and therefore I see no reason for my application to be declined ie all should be treated the same

Before completing this form – Do you know whether any exemptions apply to the activities you intend to offer? Do you have all the licences from the Council that you need?

To find out you could take advantage of our pre-application advice service. If you do require a licence you may also want to use our application assistance and check & send services to help you get your application right first time.

The fixed fees for our **Licensing Direct** services include VAT and cover the cost of administration and delivery and are not for profit.

Access these services by calling 0300 1234 212 and select the option for licensing. Alternatively, email us at licensing@cornwall.gov.uk and we will contact you. Our support services can help you save time and money.

Application to vary a premises licence under the Licensing Act 2003

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 in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We **Sonia Papper**

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LI17 002210

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description 60 Church Street			
Post town	Falmouth	Postcode	TR11 3DS

Telephone number at premises (if any)	
Non-domestic rateable value of premises	

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please see guidance note 2)

The premises is a cafe, serving hot and cold food for both eat in and takeaway purposes.

The nature of the proposed variation is to serve food until 3am.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply

- 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 a 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

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)		
Wed			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for the performance of live music (please read guidance note 6)</u>		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)</u>		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 6)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both -- please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur					
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Sat					
Sun					
			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	2300	0300	Please give further details here (please read guidance note 5) The variation applied for is to extend service until 0300 hours SIA Door Staff would be present from 0100 hours until close on Thursday, Friday and Saturday which mirrors other establishments		
Tue	2300	0300			
Wed	2300	0300	State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Thur	2300	0300			
Fri	2300	0300	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) New Year's Eve 4am		
Sat	2300	0300			
Sun	2300	0300			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		

K

Please highlight any adult entertainment or services, activities, 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 10)

There are no proposed adult entertainment or services, activities, other entertainment or ancillary matters

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6) The variation applied for is to extend service until 0300 hours SIA Door Staff would be present from 0100 hours until close on Thursday, Friday and Saturday which mirrors other establishments
Day	Start	Finish	
Mon	0900	0300	
Tue	0900	0300	
Wed	0900	0300	
Thur	0900	0300	Non standard timings. Where you intend 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 7) New Year's Eve 4am
Fri	0900	0300	
Sat	0900	0300	
Sun	0900	0300	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.
Already available

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

SIA Door Staff will be present from 0100 hours until close Thursday, Friday and Saturdays. Working with adjacent Security we can coordinate measures to reduce likelihood of disturbance by collaboration and communication, raising awareness via visibility. Notices regarding acceptable behaviour and leaving the premises quietly will be displayed and enforced. CCTV is a deterrent and will ensure any follow up is effective. Staff will be fully trained to deal with the public. Service will cease at 2.30am to ensure closure at 3am. The interior and exterior of the premises will be kept clean and tidy.

No alcohol will be sold beyond our current licence (ie 2300 hours)

b) The prevention of crime and disorder

CCTV will be installed, operated and maintained at the premises. One camera will cover the entrance/exit door at all times. Images will be stored for a minimum of 14 days.

SIA Door Staff employed on the premises 0100 hours until close on Thursday, Friday and Saturdays.

All staff will be fully trained to deal with the public.

c) Public safety

Risk assessments to be carried out.

Fire alarm and emergency lighting is already in place on the premises.

All staff will be fully trained to deal with the public.

d) The prevention of public nuisance

Signs to be displayed requesting patrons to leave quietly.

SIA Door Staff on the premises 0100 hours until close on Thursday, Friday and Saturdays.

All staff will be fully trained to deal with the public.

e) The protection of children from harm

No entry for anyone under 14 years of age without an accompanying adult who is responsible for their supervision

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Sonia Papper
Date	19/12/18
Capacity	Sole Trader

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

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)			