

**MID DEVON LICENSING AUTHORITY**  
**Licensing Act 2003**

ANNEX 4

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

**Responsible Authority** (please delete as applicable):

Police / Fire / Environmental Protection / Health and Safety / Child Protection / Weights and Measures / Planning Authority

<b>Your Name</b>	Ian Winter
<b>Job Title</b>	Environmental Protection Officer
<b>Postal and email address</b>	Mid Devon District Council Environmental Health Services Phoenix House Phoenix Lane Tiverton EX16 6PP
<b>Contact telephone number</b>	(01884) 255255

<b>Name of the premises you are making a representation about</b>	Charcoal Grill
<b>Address of the premises you are making a representation about</b>	27 Fore Street Cullompton Devon EX15 1JS

<b>Which of the four licensing Objectives does your representation relate to?</b>	<b>Yes Or No</b>	<b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>
<b>To prevent crime and disorder</b>	Yes	I have concerns in relation to possible anti-social behaviour taking place near to the premises. In particular involving person congregating late at night around the premises waiting for /or eating food being tempted to use the dark lane leading to Jaman's Court as a toilet, urinating and vomiting in the lane.
<b>Public safety</b>		
<b>To prevent public nuisance</b>	Yes	The plans detail an extraction canopy over the cooking equipment but they fail to show the point where the extraction system exits the building. 27 Fore Street has residential properties directly above it and a number of properties to the rear. Bartlett Gooding & Weelen solicitors have been asked to clarify in greater detail the exact location of the extraction system but to date I have had no response from them. I have tried to gain the information through planning but I have found that planning permission for the change of use has not been applied for. Therefore, I have not been supplied any information on the noise levels from the extraction system.  Due to the lack of information supplied on the extraction I'd like to raise the following objections in terms of noise

		<p>nuisance:          Due to the close proximity of a large number of residential properties I do feel that the operation of a food take away shop with a Premises licence licensed for late night refreshment will cause public nuisance by:          Noise from the operation of the extraction system          Odour from the operation of the extraction system          Noise from the customers congregating around the front and side of the premises</p>
<p><b>To protect children from harm</b></p>		

<p><b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</b></p>	<p><b>Planning Permission must be sort for the change of use of the Premises and for the introduction of a extraction system before the applicant applies for a Premises Licence.</b></p>
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Signed: Ian Winter

Date: 12<sup>th</sup> May 2017

**Thomas Keating**

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**From:** Steve Reardon <enquiries@cullomptontowncouncil.gov.uk>  
**Sent:** 02 May 2017 10:55  
**To:** Thomas Keating; Eileen Andrews; Judy Morris; Karl Busch; Nikki Woollatt; Rosemary Berry; Terry Snow  
**Subject:** RE: New premises licence application - Charcoal Grill

Hi Tom

The council considered this licensing application last Thursday. After consideration of the application and representations from members of the public, it makes the following objection:

**Recommend refusal on the grounds that antisocial behaviour will be relocated to a more residential area of Fore Street with associated increase to public nuisance, there is a risk to public safety in that the food hygiene rating at the existing Charcoal Grill is poor. There will be a public nuisance in that noise fumes from a fast food outlet at this location will be exhausted into a largely residential area and the public's safety will be put at risk by the building not having a sufficient fire exit to the rear.**

Yours

Steve Reardon  
Assistant Town Clerk  
Cullompton Town Council

Email:  
[enquiries@cullomptontowncouncil.gov.uk](mailto:enquiries@cullomptontowncouncil.gov.uk)

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Devon  
EX15 1AB

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**From:** Thomas Keating [<mailto:tkeating@middevon.gov.uk>]  
**Sent:** 21 April 2017 11:59  
**To:** Judy Morris; Steve Reardon  
**Subject:** New premises licence application - Charcoal Grill

Dear Steve

Please find attached the application and plan. Please be aware that the final date for representations is 12 May 2017.

Kind regards

Tom Keating | Lead Licensing Officer | Mid Devon District Council | Phoenix House | Phoenix Lane | Tiverton | EX16 6PP  
Licensing Team telephone numbers: 01884 244617/8/9 | Switchboard: 01884 255255 | Email: [licensing@middevon.gov.uk](mailto:licensing@middevon.gov.uk) |  
Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)



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