

## **Minutes of the Licensing Sub-Committee**

**18 June 2020**

**-: Present :-**

Councillors Atiya-Alla, Ellery and Foster

### **31. Election of Chairman/woman**

Councillor Ellery was elected as Chairman for the meeting.

### **32. Broadsands Beach Kiosk, Broadsands Beach, Paignton**

Members considered a report on an application for a Premises Licence in respect of Broadsands Beach Kiosk, Broadsands Beach, Paignton.

Written Representations received from:

Name	Details	Date of Representation
Marine Leisure and Beach Services Manager, Tor Bay Harbour Authority	Representation objecting to the application on the grounds of 'The Prevention of Public Nuisance', 'The Prevention of Crime and Disorder' and 'Public Safety'.	4 June 2020
Member of the Public	Representation objecting to the application on the grounds of 'The Prevention of Public Nuisance', 'The Protection of Children from Harm' and 'Public Safety'.	26 May 2020

Oral Representations received from:

Name	Details
The Applicant's	The Applicant's outlined their application and responded to Members questions.
Marine Leisure and Beach Services Manager, Tor Bay Harbour Authority	Marine Leisure and Beach Services Manager for Tor Bay Harbour Authority outlined his objection to the application.
Member of the	A Member of the Public outlined his objection to the

Public	application and responded to Members questions.
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**Decision:**

That the application for a Premises Licence in respect of Broadsands Beach Kiosk, Broadsands Beach, Paignton be approved subject to the following additional conditions:

- i) Where alcohol is supplied in a glass bottle, the premises must transfer that alcohol into a plastic or paper cup where off-sales are intended;
- ii) At the end of each operational day, a member of staff must conduct a sweep of the immediate and surrounding area to collect and dispose appropriately, any waste attributable to the premises;
- iii) That the premises shall situate prominently, signage to request that patrons dispose their waste in the receptacles provided by the premises.

That the following condition on the application, under the heading of 'The Prevention of Public Nuisance' be amended to:

'Adequate waste receptacles will be provided by the premises, for customer use and will be emptied when required and stored safely by the premises until disposal'.

**Reasons for Decision:**

In carefully considering all the written and oral representations, Members unanimously resolved to grant the application, having been satisfied that the additional conditions would alleviate the concerns raised by Interested Parties and promote the Licensing Objectives.

In coming to that decision, Members were reassured by the Applicant's experience, knowledge of the area and previous experience of operating a licensed premises in that area without complaint.

Members gave careful consideration to the concerns raised in the two representations received and concluded that some concerns in respect of anti-social behaviour existed, despite their already being a licensed premises in the same location and that neither that premises, nor the granting of this premises licence, would directly result in an increase in the type of behaviour complained of.

Members also gave careful consideration with regards to off-sales and the potential concerns around waste and the serving of alcohol in glass bottles which Members too had concerns with but after thorough deliberation and noting the Applicant's previous experience and track record, Members were satisfied that these concerns could be alleviated by conditions.

Members noted the extensive CCTV in operation at the Premises, a system that can be monitored remotely and from within the Premises. Further facilitating the

ability of the Applicant's to ensure public nuisance and anti-social behaviour would not emanate from these premises and act as a deterrent which in turn, would seek to promote the Licensing Objective; namely, The Prevention of Crime and Disorder.

Members noted the absence of any representations by the Police or Safeguarding, with regards to children and were reassured by this, in their granting of the application.

In concluding, should issues arise as a result of granting this application, Members noted that a Review of the premises licence was available.

Chairman/woman

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