

Minutes of the Licensing Sub-Committee

6 August 2020

-: Present :-

Councillors Ellery, Foster and Kennedy

35. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

36. Shoals Café on the Lido, Berry Head Road, Brixham

Members considered a report on an application for a Variation to a Premises Licence in respect of Shoals Café on the Lido, Berry Head Road, Brixham.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Letter of representation objecting to the application on the grounds of 'The Prevention of Crime and Disorder', 'The Prevention of Public Nuisance' and 'Public Safety'.	13 July 2020

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined their application and responded to Members questions.
Member of the Public	The member of the public outlined their representation and responded to Members questions.

Decision

That the application for a Variation to a Premises Licence in respect of Shoal Café on the Lido, Berry Head Road, Brixham be granted as applied for subject to the following additional condition:

Prominent signs shall be displayed at the premises, informing customers that off sales shall not be consumed around the pool side area.

Reasons for Decision

Having carefully considered all the written and oral Representations, Members resolved to grant the Variation to the Premises Licence, as they were assured that the conditions contained in the application and the additional condition determined by them, should alleviate the concerns raised by the Interested Party and would ensure that the Licensing Objectives are promoted.

In coming to that decision, Members noted that the premises had been operating since 2015 without any issues of concern being raised with the Licensing Authority. This, along with the submission by the Applicant and Interested Party that the level of anti-social behaviour and public nuisance in the immediate area had decreased during the same period, gave reassurance to Members that by granting this application, the concerns raised by the Interested Party were unlikely to emanate from these premises operations.

Members also took into account that the Applicant had consulted with the Responsible Authorities in respect of their application and noted the absence of any Representation from them.

Members were mindful that a refusal to grant an application required the decision to be based upon evidence, evidence which in their opinion, was not present in either the written or oral representations before them. Therefore Members could find no appropriate reason to refuse the application, as applied for.

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