



Minutes of the Licensing Sub-Committee

4 August 2011

-: Present :-

Councillors Addis, Ellery and Parrott

200. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

201. Below Decks, Beacon Quay, Torquay, TQ1 2BG

Members considered a report on an application for a Variation to a Premises Licence in respect of Below Decks, Beacon Quay, Torquay. Members noted that the Premises do not fall within the Cumulative Impact Area.

Written Representation received from:

Name	Details	Date of Representation
Four letters from Members of the Public	Four letters of Representation objecting to the application on the grounds of 'The Prevention of Public Nuisance' and 'Public Safety'.	Various dates

Additional Information

At the Hearing, the Applicant's Solicitor requested an extension to the normal allowance of 10 minutes to 15 minutes to present the application. The Sub-Committee agreed to the extension of time.

With agreement from the Licensing Sub-Committee, the Applicant's Solicitor circulated six photographs showing the inside and outside seating areas.

Oral Representations received from:

Name	Details
Applicant's Solicitor	The Applicant's Solicitor outlined the application and responded to Members questions.

Applicant's response to Representations:

Decision:

That the application for a Variation to a Premises Licence in respect of Below Decks, Beacon Quay, Torquay be granted as applied for subject to the amendment of regulated entertainment ceasing outside at 10 p.m.

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved that having noted the concerns raised by the Interested Parties that they were satisfied that in the absence of any Representation received from the Police and Environmental Protection Department evidenced that there were no concerns in respect of incidents at the Premises.

In addition Members were reassured that the conditions put forward in this application, with the amended time for regulated entertainment outside, along with the historical management of these premises were sufficient to allay any concerns and believe that it should also alleviate the concerns of the Interested Parties.

In concluding, should issues arise as a result of this grant, any Interested Party or Responsible Authority can seek a Review of this Licence.

(Note: Prior to consideration of Minute 201, Councillor Addis declared a personal interest as the applicants were known to him as members of his ward.)

202. The Old market House, The Quay, Brixham

Members considered a report on an application for a Premises Licence in respect of The Old Market House, The Quay, Brixham.

Written Representations received from:

Name	Details	Date of Representation
Public Protection	Representation proposing additional conditions that could be added to the Premises Licence should it be granted.	11 July 2011
Five letters from Members of the Public	Five letters of Representation objecting to the application on the grounds 'The Prevention of Crime and Disorder', 'The	Various dates

	Prevention of Public Nuisance' and 'Public Safety'.	
--	---	--

Oral Representations received from:

Name	Details
Applicant's Representative	The Applicant's Representative outlined the historical background to the application, addressed issues raised in the letters of Representation and responded to Members questions.

Decision:

That the application for a Premises Licence in respect of the Old Market House, Brixham be granted as applied for subject to the additional condition proposed by Mr Fudge, Senior Environmental Health Officer, that shall read as follows:

'A responsible member of staff will take steps to monitor the outside drinking area and take all reasonable steps to minimise public nuisance from people drinking in the outside area particularly after 18:00 hours.'

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved that in light of there being no formal objections by the Responsible Authorities and the comprehensive conditions put forward in the application which resulted from extensive consultation with the Responsible Authorities prior to the application being submitted, together with the additional condition, Members were reassured that by granting this application the Licensing Objectives would be promoted.

This was also reinforced by the oral Representation by the Applicant's Representative in addressing the issues of concern raised by the Interested Parties and by answering Members questions on specific points relating to Public Nuisance.

Should issues arise as a result of this grant, Members would encourage a Review of this Premises Licence which is permitted to both Responsible Authorities and Interested Parties.

Chairman