



Minutes of the Licensing Sub-Committee

4 June 2015

-: Present :-

Councillors Doggett (In place of Ellery), Manning and King

(Also in attendance: Councillors Brooks, Stubley and Tolchard)

1. Election of Chairman/woman

Councillor Manning was elected as Chairman for the meeting.

2. Apologies

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Doggett instead of Councillor Ellery.

3. Minutes

The Minutes of the meeting of the Sub-Committee held on 16 April 2015 and 23 April 2015 were confirmed as a correct record and signed by the Chairman.

4. Licensing Act 2003 – An application for a Premises Licence in respect of Subway, 49 Fleet Street, Torquay TQ2 5DW

Members considered a report on an application for a Premises Licence in respect of Subway, 49 Fleet Street, Torquay TQ2 5DW.

The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation in relation to Licensing Objective 'The Prevention of Crime and Disorder.'	6 May 2015
Safeguarding and Reviewing Services	Representation in relation to Licensing Objective 'The Protection of Children from Harm.'	13 April 2015

Members noted that there had been no additional Representations received from any other Responsible Authority or any Interested Party.

Oral Representation received from:

Name	Details
The Applicant	The Applicant outlined the application, as set out in the submitted documents and responded to Members questions.
Police	The Police outlined their objection, as set out in the submitted documents, outlined proposed conditions and responded to Members questions.
Safeguarding and Reviewing Services	The Officer Safeguarding and Reviewing Service outlined their objection, as set out in the submitted documents, outlined proposed removal and inclusion of a replacement condition and responded to Members questions.

Additional Information:

Members were advised by the Safeguarding and Reviewing Service Officer that the Applicant had confirmed that they agreed with the removal of the condition set out in the Operating Schedule and the inclusion of a proposed replacement condition, as per the submitted report and the Applicant confirmed this agreement.

Decision:

That the application for a Premises Licence in respect of Subway, 49 Fleet Street, Torquay TQ2 5DW be granted as applied for, subject to the following conditions;

- (i) There shall be a minimum of two members of staff present on the premises from 11 pm to 5 am.
- (ii) 1 SIA Door Steward shall be employed at the premises from 1 am until 30 minutes after the premises closes on Friday and Saturday nights. On all other occasions the Premises Licence Holder shall risk assess the requirement for door supervisors and employ such door supervisors, if at all, at such times determined appropriate by that risk assessment.

(iii) Whenever Door Stewards are on duty at the premises they shall wear yellow high visibility jackets/tabards for the entirety of their duty.

(iv) That the premises shall join and maintain membership of the Nitenet Radio Communications Scheme.

(v) No person under the age of 16 years shall be employed on the premises.

The following amendments shall apply to the Operating Schedule as per per Appendix 1 of the submitted report;

a) General

To be amended to read;

The premises shall consult with and work with Responsible Authorities such as the police to help identify potential hazards that they may be unaware of.

b) The prevention of crime and disorder

Addition of condition to read;

Prominent signage shall be displayed at the premises notifying patrons that CCTV is in operation.

c) Public safety

Addition of condition to read;

An incident log book shall be kept at the premises at all times and made available to the Responsible Authorities.

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved to grant the Premises Licence as decided, having been satisfied that the proposed, additional and amended conditions would promote the Licensing Objectives. Namely, the Prevention of Crime and Disorder and the Prevention of Children from Harm.

In coming to this decision, Members noted the oral concerns raised by the Police Representative in that this application is for a new Premises Licence in the Cumulative Impact Area and without the appropriate conditions set out in this decision, Members could not be satisfied that the operation of this premises would not add to Crime and Disorder.

Members further noted that the Applicant's intention for this application, as orally submitted by him at the hearing, was to increase revenue from the premises. In doing so, Members resolved that this would result in an increase in footfall not only to the premises itself but also to the immediate surrounding area and this in itself was likely to increase the risk of Crime and Disorder due to Patrons using these premises after 1am on a Friday and Saturday night being under the influence of alcohol.

Taking into consideration the Applicant's Operating Schedule, Members could not be satisfied that that which is contained within it could reasonably be carried out by the ratio of staff proposed by the Applicant. Therefore it is appropriate to require two members of staff to be present on the premises from 11pm – 5am to ensure that the Licensing Objectives are promoted and there is full compliance with the Applicant's proposed Operating Schedule.

In respect of imposing conditions relating to Nitenet radio and SIA Door Stewards, Members resolved that these were appropriate due to anticipated increase in footfall, the location of the premises, the nature of the patrons likely to be under the influence of alcohol at the times being sought by this application and the timely response required to prevent crime and disorder occurring and the Police's oral and written Representation which outlined their concerns though experience of these type of premises.

5. Licensing Act 2003 – An application for a Premises Licence in respect of Ewings, 1A The Strand, Torquay TQ1 2AA

Members considered a report on an application for a Premises Licence in respect of Ewings, 1A The Strand, Torquay TQ1 2AA.

The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Safeguarding and Reviewing Services	Representation in relation to Licensing Objective 'The Protection of Children from Harm.'	2 April 2015

Members noted that there had been no additional Representations received from any other Responsible Authority or any Interested Party.

Oral Representation received from:

Name	Details
The Applicant	The Applicant outlined the application, as set out in the submitted documents and responded to Members questions.
Safeguarding and Reviewing Services	The Officer from Safeguarding and Reviewing Service outlined their objection, as set out in the submitted documents, outlined proposed conditions and responded to Members questions.

Additional Information:

Members were advised by the Safeguarding and Reviewing Service Officer that the Applicant had confirmed their agreement to the additional conditions, as per the submitted report. The Applicant confirmed this agreement.

Decision:

That the application for a Premises Licence in respect of Ewings, 1A The Strand, Torquay TQ1 2AA be granted as applied for, subject to the condition proposed and as agreed by the Safeguarding and Reviewing Service and as agreed by the Applicant.

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved to grant the licence having been satisfied that the proposed and agreed conditions would seek to promote the Licensing Objectives.

In consideration of the Council's Statement of Principles 2011, Members were also satisfied that the application would not add to the problems with Crime and Disorder and/or Public Nuisance in the area.

In concluding, Members noted that there were no other Representations received from any other Responsible Authority or any Interested Parties.

Chairman/woman