



Minutes of the Licensing Sub-Committee

26 July 2019

-: Present :-

Councillors Brooks, Ellery and David Thomas

1. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

2. Exclusion of the Press and Public

Prior to consideration of the item in Minute 3 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended.)

3. Summary Review Application - The White Hart Inn, 48 Temperance Street, Torquay

Members considered a report on an application for an expedited review of a Premises Licence in respect of The White Hart Inn, 48 Temperance Street, Torquay.

Written representations received from:

Name	Details	Date of Representation
Police	Application for an expedited review of the Premises Licence.	24 July 2019
Premises Licence Holder	Representation on behalf of the Premises Licence Holder responding to the expedited review.	24 July 2019
Torbay Council Senior Licensing Office	Confirmation of the Premises Licence Holders' response to the expedited review.	24 July 2019

Additional Information:

An image using Google maps to identify the location of the Premises was circulated to all parties present, with the agreement of the Chairman.

The Police also circulated photographic evidence, as part of their application, with agreement of the Chairman.

Oral Representations received from:

Name	Details
Applicant	The applicant outlined their application for an expedited Review of the Premises Licence and responded to Members Questions.

Decision:

That the premises licence in respect of The White Hart, 48 Temperance Street, Torquay, be suspended with immediate effect until the 21 August 2019 and a Review of the premises licence shall take place on Monday, 19 August 2019, in accordance with the Licensing Act 2003.

Reason for Decision

Having carefully considered all the written and oral representations and notwithstanding the offer made on behalf of the Premises License Holder in an email to the Local Authority Senior Licensing Officer on 24 July 2019 at 16:51, Members resolved that the only appropriate option on the evidence before them, was to suspend the premises licence with immediate effect.

In coming to that decision, Members noted the absence of any representation from the Premises License Holder or the Designated Premises Supervisor, in respect of that raised by the Police in their application, other than to offer a suspension of the premises licence.

Members gave careful consideration to all options available to them as interim steps but determined in the absence of answers to the concerns they had surrounding the premises current operation, the accessibility of objects which had been used as weapons, why the individual who was involved in both the incidents on the 15th and 22nd July 2019 had not been banned from the premises following the incident on the 15th July 2019 which in Members opinion, on the evidence before them, would have been reasonable and have prevented the incident on the 22nd July 2019 occurring, the apparent familiarity by patrons of this premises to such an extent that they would take it upon themselves to be behind the bar area and to enter the private dwelling area of the Designated Premises Supervisor, the lack of opportunity to explore the suitability of the Designated Premises Supervisor remaining in post, the absence of a robust plan to ensure that these repeated incidents involving the same patron would not reoccur and the escalation of what is serious disorder resulting in serious injuries being caused to patrons frequenting this premises, that on the evidence before them, they could not be satisfied that similar incidents would not reoccur; and that the Licensing Objectives would not be undermined further should this premises be permitted to continue operating.