

Minutes of the Licensing Sub-Committee

19 May 2022

-: Present :-

Councillors Atiya-Alla, Ellery and Barbara Lewis

1. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

2. Licensing Act 2003 – An application for a Premises Licence in respect of The Maycliffe Hotel, St Lukes Road North, Torquay, TQ2 5PD

Members considered a report on an application for a Premises Licence in respect of Maycliffe Hotel, St Lukes Road, Torquay.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation objecting to the application on the ground of 'The Prevention of Public Nuisance'.	25 March 2022

Oral Representations received from:

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

Decision:

That the application for a Premises Licence in respect of Maycliffe Hotel, St Lukes Road, Torquay be refused.

Reasons for Decision:

Having carefully considered all the written and oral representations, Members determined that they could not be satisfied on the evidence before them, that if granted as applied for, the application and in turn the premises licence, would uphold the Licensing Objectives.

In coming to that decision, Members noted that the operating schedule lacked specific detail in respect of the premises operations and what if any mitigating

measures had been considered, to prevent noise outbreak affecting nearby residential properties. Such as, dispersal of those attending an event and not staying at the hotel, location and monitoring of a smoking area, windows and doors remaining closed during a live music event whilst having no air conditioning in its licensed areas or set of measures as to how this would be monitored, no submissions around the use of a noise limiter for live music events. When asked about this, Members were concerned to note that the representative seemed unaware as to the content of the application, and by his own admission that he had only just seen it, having been asked on the 16 May 2022 to attend this hearing. This coupled with the lack of detail, gave Members no other option but to refuse the application.

Members were also concerned to note that the premises operations would be left to staff who whilst may have good intentions, appeared to have no experience in operating a premises licence, let alone one which is located in a predominantly residential area.

In concluding, Members gave careful consideration to an alternative to refusal but given the representatives oral contradiction to that contained in the application which at times, caused Members uncertainty of what was actually being applied for, as the nature of the application changed, dependant on their questions, they could not be certain that conditions they felt appropriate and proportionate would fit in with the premises intended operation.

Chairman/woman