

## **Minutes of the Licensing Sub-Committee**

**6 July 2023**

**-: Present :-**

Councillors Joyce, Barbara Lewis and Maddison

### **23. Election of Chairman/woman**

Councillor Barbara Lewis was elected as Chairwoman for the meeting.

### **24. Apologies**

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

### **25. Minutes**

The Minutes of the meetings of the Sub-Committee held on 18 May and 8 June 2023 were confirmed as a correct record and signed by the Chairwoman.

### **26. The Berry Hotel, 6 Berry Square, Paignton**

Members considered a report on an application for a Premises Licence in respect of The Berry Hotel, 6 Berry Square, Paignton.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation objecting to the application for a Premises Licence on the grounds of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'.	Undated
Member of the Public	Representation objecting to the application for a Premises Licence on the ground of 'The Prevention of Public Nuisance'.	Undated
Member of the Public	Representation objecting to the application for a Premises Licence on the ground of 'The Prevention of Public Nuisance'.	Undated
Member of the Public	Representation objecting to the application for a Premises	Undated

	Licence on the ground of 'The Prevention of Public Nuisance'.	
Member of the Public	Representation objecting to the application for a Premises Licence on the grounds of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'.	10 June 2023
Member of the Public	Representation objecting to the application for a Premises Licence on the grounds of 'The Prevention of Public Nuisance' and 'The Prevention of Crime and Disorder'.	12 June 2023

Oral Representations received from:

Name	Details
Applicant	The Applicant and his representative outlined their application for a Premises Licence and responded to Members' questions.
Members of the Public	The two Members of the Public outlined their objection to the application for a Premises Licence and responded to Members' questions.

Applicant's response to Representations:

The Applicant confirmed that he would work with his neighbours to address any issues or concerns with the Application.

**Decision:**

That the application for a Premises Licence in respect of The Berry Hotel, 6 Berry Square, Paignton be granted as applied for, subject to the following additional conditions:

- 1) No alcohol shall be served to a non-resident without a table meal; and
- 2) The Premises shall ensure that, prior to the sale of alcohol, proof of residence is required to be shown in order to differentiate between residents and non-residents.

**Reason for Decision:**

Having carefully considered all the written and oral representations, Members unanimously resolved to grant the application for a Premises Licence, having been satisfied that with the additional conditions, the applied for would not undermine the Licensing Objectives.

In coming to their decision, Members gave careful consideration to those concerns raised by the Interested Parties, noting that there were some which were beyond the remit of the Licensing Sub-Committee. Of those which were within their remit, Members were encouraged that once the licensed premises was open and operating as intended, that the Applicant was keen to engage responsibly with its neighbours to overcome any concerns, should they arise.

Whilst oral and written representations from local residents and a local business raised concerns around public safety and increased littering, together with an increase in vandalism, there was no evidence that in granting the application these effects were either foreseeable or likely to be attributable to the premises.

Members were further reassured that the Applicant had 8 to 10 years' experience of responsibly operating a Licensed Premises in Winner Street, Paignton and on the evidence before them, saw no reason why this premises would not be operated in the same manner. Members therefore commended the Applicant's intention to provide a family establishment and to increase the offer of the area.

In concluding, Members noted the absence of any Representations received from any of the Responsible Authorities and resolved that the inclusion of the additional conditions would alleviate the concerns raised by the Interested Parties around drunkenness and any resulting anti-social behaviour such to cause a nuisance.

Should issues arise as a result of this grant, Members noted that a Review of the Premises Licence can be sought by any Interested Party or Responsible Authority.

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Chairman/woman