

Minutes of the Licensing Sub-Committee

14 March 2024

-: Present :-

Councillors Johns, Barbara Lewis and Virdee

25. Election of Chairman/woman

Councillor Johns was elected as Chairman for the meeting.

26. 29 Ilsham Road, Wellswood, Torquay, TQ1 2JG

Members considered a report on an application for a new Premises Licence in respect of 29 Ilsham Road, Wellswood, Torquay, TQ1 2JG.

Written Representations received from:

Name	Details	Date of Representation
Responsible Authority	Written representation that sets out additional conditions to be added to the application if the application for a Premises Licence is granted.	5 February 2024
Member of the Public	Written representation objecting to the application for a new Premises Licence on the grounds of 'The Prevention of Public Nuisance'.	Undated
Member of the Public	Written representation objecting to the application for a new Premises Licence on the grounds of 'The Prevention of Public Nuisance'.	Undated
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Oral Representations received from:

Name	Details
Applicant's Agent	The Applicant's Solicitor outlined the application. The Applicant's Agent and Applicant also responded to Members questions.
Member of the Public	The Member of the Public outlined their objection to the application and responded to Members questions.
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Decision

That the application in respect of 29 Ilsham Road, Wellswood, Torquay. TQ1 2JG be granted as applied for, subject to the additional conditions proposed by the Police and accepted by the Applicant, and the following conditions to be added:

- 1) At the end of each operational day, an employee of the premises shall check the immediate vicinity of the premises and pick up and dispose of appropriately, any litter attributable to the premises.
- 2) The premises shall be open to the public from 7 am to 11 pm seven days per week.

Reason for decision

Having carefully considered all the written and oral representations, Members resolved to grant the Premises Licence, having been satisfied that the conditions proposed by the Police and accepted by the Applicant were sufficiently comprehensive and robust for this type of premises, and promoted the Licensing Objectives.

In determining the additional condition in respect of litter, Members noted the concerns raised in the representations and that presented orally by the Interested Parties present at the hearing and resolved this addition to be proportionate in the circumstances.

Members also noted the Applicants revised operational timings put forward in their presentation, which Members found to be reassuring, in that the Premises Licence Holder had listened to the concerns raised in the objections, demonstrating a responsible attitude and approach in wanting to operate the premises in harmony with its nearby residents.

Members initially shared the same concerns as the objectors, around the lack of detail in the application operating schedule. However, with careful consideration of each additional condition put forward by the Police and accepted by the Applicant, members were reassured that in compliance, these premises operations would seek to uphold the Licensing Objective which in turn, should alleviate the objectors' concerns, as it had theirs.

Members did have concerns around staffing ratios during operational hours but noted that the Applicant had two other licensed premises within Torquay, one of which was in close proximity to this proposed premises and that these operated without reported concern by the Responsible Authorities.

Members noted on the acceptance by the Applicant to the conditions proposed by the Police, the Police had no objection to this application. Furthermore, no other Responsible Authority had raised an objection or concern in respect of this application which was persuasive in forming their opinion that to grant this application, would not undermine the Licensing Objectives.

Members noted that the objectors had raised a number of other factors in their representations but found these either to be outside the remit of the Licensing Authority to determine or irrelevant to this application and the Licensing Objectives.

In concluding, Members noted that a Review of the Premises Licence can be sought by any Interested party or a Responsible Authority, should issues arise as a result of granting this licence.

Chairman/woman
