



## Minutes of the Licensing Sub-Committee

16 May 2013

-: Present :-

Councillors Addis, Doggett and Brooksbank

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### 1. Election of Chairman/woman

Councillor Addis 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 Stocks.

### 3. Minutes

The Minutes of the meeting of the Sub-Committee held on 25 April 2013 were confirmed as a correct record and signed by the Chairman.

### 4. Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Co-op, 16 Great Rea Road, Brixham TQ5 9SW

Members considered a report for an application for a Variation to a Premises Licence in respect of Co-op, 16 Great Rea Road, Brixham TQ5 9SW.

Written Representations received from:

Name	Details	Date of Representation
Members of the Public	Nine Representations received in respect of the Licensing Objectives 'The Prevention of Crime and Disorder,' 'Public Safety' and 'The Prevention of Public Nuisance.'	Various dates

The Senior Licensing Officer circulated a map and two photographs to Members showing the position of the Co-op in relation to the surrounding area and a list of nearby off-licence premises in the TQ5 area, with the Chairman's approval.

Copies of the Co-operative Welcome and Citrus Training Guide were made available to Members.

Oral Representation received from:

Name	Details
The Applicant's Solicitor	The Applicant's Solicitor outlined the application, as set out in the submitted documents and responded to Members questions.
Members of the Public	Members of Public highlighted their concerns in respect of the Application and responded to members questions.

Members noted there have been no Representations received from any Responsible Authority.

Additional Information:

Members of Public were advised by the Chair that matters which fell outside the scope of Licensable Activities and Promotion of the Licensing Objectives, could not be considered by the Licensing Sub-Committee and should be addressed by the Council's Planning and Trading Standards department and where appropriate by the Police. Although the Committee acknowledged the issues raised, they were advised that they could only consider matters in respect of varying the hours of the Premises Licence on a Sunday only.

Decision:

That the application for a Premises Licence in respect of Co-op, 16 Great Rea Road, Brixham TQ5 9SW be granted as applied for, subject to the Conditions put forward by the Applicant.

Reason for Decision:

Having carefully considered all the Oral and Written Representations, Members resolved to grant the Licence as applied for, having acknowledged the frustrations put forward by the Interested Parties but noted that these did not directly relate to the Licensable activity being applied for. In addition, Members noted that one of the Interested Parties submitted that it was their belief that the variation sought was already ongoing and therefore noting this belief and the fact that there were not any reported issues within the times sought, members found no reason to believe that the granting of this variation would undermine the Licensing Objectives.

Members further noted the absence of any Representations from either of the Responsible Authorities.

In concluding, should issues arise as a result of this grant, then a Review of the Premises Licence is permissible.

**5. Licensing Act 2003 – An application for a Premises Licence in respect of White Rock Convenience Store, 91 Goodrington Road, Paignton TQ4 7HZ**

Members considered a report for an application for a Premises Licence in respect of White Rock Convenience Store, 91 Goodrington Road, Paignton TQ4 7HZ.

Written Representation received from:

Name	Details	Date of Representation
Member of the Public	One Representation received in respect of the Licensing Objectives 'The Prevention of Crime and Disorder,' and 'The Prevention of Public Nuisance' with two signatures on it.	April 2013

The Senior Licensing Officer circulated a map to Members showing the position of the White Rock Convenience Store in relation to the surrounding area and a list of nearby off-licence premises in the TQ4 area, with the Chairman's approval.

A written response to the Representation was circulated from the Applicant through the Solicitor to Members, with the Chairman's approval.

Oral Representation received from:

Name	Details
The Applicant's Solicitor	The Applicant's Solicitor outlined the application, as set out in the submitted documents and responded to Members questions.

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

Members were advised by the Senior Licensing Officer that she had spoken with the Member of the Public who had made the Representation and they had informed her that they would not be able to attend due to being on holiday. Members agreed it was in the public interest to continue with the meeting and an additional Representation from the Member of Public was circulated with the Chairman's approval.

Decision:

That the application for a Premises Licence in respect of White Rock Convenience Store, 91 Goodrington Road, Paignton TQ4 7HZ be granted as applied for, subject to the conditions put forward by the Applicant.

Reason for Decision:

Having carefully considered all the Oral and Written Representations, Members resolved to grant the Licence having acknowledged the Representations put forward by the Interested Party but noted that concerns raised within this Representation were either not attributable to this Premises, as this was an application for a new Premises Licence or that they were outside the scope of the Licensing Authority's remit. Namely, opening times, issue of parked cars in the nearby car park, throwing of items at their window.

In addition, Members noted that there were no Representations received from any of the Responsible Authorities and were satisfied that the conditions put forward by the Applicant and the layout of the Premises in which alcohol would be sold, would, in their minds, seek to promote the Licensing Objectives.

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Chairman