



Minutes of the Licensing Sub-Committee

9 January 2014

-: Present :-

Councillors Addis, Brooksbank and Ellery

45. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

46. Apologies

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Brooksbank and Doggett instead of Councillor Barnby and Stocks respectively.

47. Licensing Act 2003 – An application for a Premises Licence in respect of Taj India, 47 Abbey Road, Torquay TQ2 5NQ

Members considered a report on an application for a Premises Licence in respect of Taj India, 47 Abbey Road, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

Name	Details	Date of Representation
Police	Letter of Representation suggesting conditions if the Licence was granted.	10 December 2013

Oral Representations received from:

Name	Details
Applicant	The applicant responded to Members questions.
Police	The Police outlined the conditions they would like adding to the Premises Licence if the Premises Licence was granted.

Applicant's response to Representations:

The Applicant advised Members of the Licensing Sub-Committee that he agreed to the inclusion of the conditions suggested by the Police.

Decision:

That the application for a Premises Licence in respect of Taj India, 47 Abbey Road, Torquay be granted as applied for, subject to the following additional conditions:

- i) Alcohol shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as ancillary to their meal;
- ii) Alcohol permitted for consumption off the premises shall be that which had been purchased ancillary to a table meal and shall be carried from the premises in a sealed container;
- iii) Any person who appears to members of staff to be drunk or acting in a violent manner shall be refused entry to the premises; and
- iv) The premises shall operate a Challenge 25 Scheme, where acceptable forms of photographic identification, as outlined in the Torbay Council Licensing Statement of Principles shall be requested from any person who appears to members of staff to be under the age of 25.

Reason for Decision

Having carefully considered all the written and oral representations, Members resolved to grant the licence, having been satisfied that with the additional conditions, the licensing objectives would not be undermined.

Members had regard for the Council's Licensing Statement of Principles 2011 and resolved that to grant the licence as it did, the licence would not add to crime and disorder or public nuisance.

Members also had regard to the Applicant's intention to sell alcohol to those who purchased takeaway meals. In consideration of this intention which Members felt had not been made clear by the Applicant in their application form and had only come to light during the Applicant's oral submission, Members noted that the premises are within the Cumulative Impact Area and that the area in which the premises is located is covered by an Alcohol Consumption in Designated Public Places 2003 Central Torquay Order.

As such Members resolved that the Applicant had not sufficiently demonstrated to them what measures would be put in place to ensure that The Prevention of Crime and Disorder Objective would not be undermined and therefore prohibited the sale and supply of alcohol otherwise than to persons taking table meals at the premises and for consumption by such a person, as ancillary to their meal.

Chairman