



Minutes of the Licensing Sub-Committee

3 November 2016

-: Present :-

Councillors Stocks, Sykes and Thomas (J)

11. Election of Chairman/woman

Councillor Thomas (J) was elected as Chairman for the meeting.

12. Minutes

The Minutes of the meeting of the Sub-Committee held on 9 June 2016 and 7 July 2016 were confirmed as a correct record and signed by the Chairman.

13. Licensing Act 2003 - An application for a Variation to a Premises Licence in respect of The Bierkeller, 7 Braddons Hill Road West, Torquay

Members considered an application for a Variation to a Premises Licence in respect of The Bierkeller, 7 Braddons Hill Road West, Torquay. The applicant presented his application and responded to Members questions.

Following an adjournment the applicant, Mr Sims, advised the Committee that he wished to withdraw the application.

14. Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Murphy’s Roadhouse, 18 Esplanade Road, Paignton

Members considered a report on an application for a Variation to a Premises Licence in respect of Murphy’s Roadhouse, 18 Esplanade Road, Paignton.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation objecting to the application on the grounds of ‘The Prevention of Crime and Disorder’ and ‘The Prevention of Public Nuisance’.	11 October 2016

Oral Representations received from:

Name	Details
Applicant	The Applicant outlined the application and responded to Members questions.
Police Representative	The Police Representative outlined their objection to the application and called upon the Council's Public Protection Officer to provide a view and respond to Members questions regarding the application.

Decision:

That the application for a Premises Licence in respect of Murphy's Roadhouse, 18 Esplanade Road, Paignton be granted as applied for and subject to the following conditions:

- i) When the outside smoking area is used after midnight a SIA door steward shall be located in that area to ensure that patrons using the area do not behave in a manner which causes a nuisance to nearby residences; and
- ii) A member of staff shall be designated to monitor the outside smoking area after midnight to ensure that any empty drinking vessels are cleared away promptly.

Reason for Decision:

Having carefully considered all the oral and written representations, Members resolved to grant the application having been satisfied that the Applicant's presented as responsible Premises Licence Holders, who had demonstrated a prompt willingness to work with the Responsible Authorities to successfully resolve any issues that have arisen in the past.

Whilst Members noted that consumption of alcohol was not a licensable activity, they were mindful of their responsibility to ensure that the licensing objective 'The Prevention of Public Nuisance' was promoted where there was a potential causal link of nuisance to that activity. With that in mind and in carefully considering the representation of the Police, Members were satisfied that the two additional conditions would seek to alleviate the potential cause of such a nuisance.

Members were reassured that whilst they did not have sight of premises Noise Management Plan referred to, that one did exist and was suitable to these premises, as confirmed by the Public Protection Officer.

In concluding, Members noted that there were no representations of objections in respect of this application from any residents or any other Responsible Authority other than the Police.

Chairman/woman