



Wednesday, 19 July 2017

LICENSING SUB-COMMITTEE

A meeting of **Licensing Sub-Committee** will be held on

Thursday, 27 July 2017

commencing at **9.30 am**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Sykes

Councillor Thomas (J)

Councillor Pentney

A prosperous and healthy Torbay

For information relating to this meeting or to request a copy in another format or language please contact:

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LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes** (Pages 4 - 5)
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on 6 July 2017.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.
6. **Exclusion of the Press and Public**
To consider passing a resolution to exclude the press and public from the meeting prior to consideration of the following item on the agenda on the grounds that exempt information (as defined in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) is likely to be disclosed.

7. **Review of a Torbay Council Drivers' Licence**
To consider a report that seeks a review of a Torbay Council Drivers' Licence.

(Pages 6 - 13)



Minutes of the Licensing Sub-Committee

6 July 2017

-: Present :-

Councillors Ellery, Thomas (J) and Tolchard

46. Election of Chairman/woman

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

47. Minutes

The Minutes of the meeting of the Sub-Committee held on 20 April 2017, 27 April 2017 and 18 May 2017 were confirmed as a correct record and signed by the Chairman.

48. Cavern on the Quay, Ground Floor, 22 Victoria Parade, Torquay

Members considered a report on an application for a Variation to a Premises Licence in respect of Cavern on the Quay, Ground Floor, 22 Victoria Parade, Torquay. The Premises do fall within the Cumulative Impact Area.

Written Representations received from:

| Name | Details | Date of Representation |
|----------------------|---|------------------------|
| Member of the Public | Representation objecting to the application on the ground of 'The Prevention of Public Nuisance'. | 30 May 2017 |

Oral Representations received from:

| Name | Details |
|-----------|--|
| Applicant | The Applicant outlined his application and responded to Members questions. |

Decision:

That the application for a Variation to the Premises Licence in respect of Cavern on the Quay, Ground Floor, 22 Victoria Parade, Torquay be granted as applied for.

Reason for Decision:

Having carefully considered all the oral and written representations, Members resolved to grant the variation to the current Premises Licence, having been satisfied to do so would not undermine the Licensing Objectives.

In coming to this decision, Members had regard to the concern raised in the written representation from the member of the public. In doing so, Members noted that this application was not in respect of Live Music but instead on its own merits requesting earlier opening times and accompanying activities to permit the premises to offer an additional venue for families which were in keeping with other premises within the area. Despite this, Members did ask about noise emanating from the premises during its late operation and were satisfied by the measures taken by the Premises Licence Holder to prevent noise outbreak, as submitted by the Applicant and the Principle Licensing Officer.

In concluding, Members also noted that the Applicant had consulted with the Police, Public Protection and Children's Safeguarding prior to submitting their application and that there were no representations from either of these or any other Responsible Authority before them. In light of this, Members deduced that there were no concerns by these Responsible Authorities in granting this application.

Should issues arise as a result of granting this application, a Review of the Premises Licence is available.

Chairman/woman

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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