

Minutes of the Licensing Sub-Committee

22 September 2022

-: Present :-

Councillors Ellery, Barbara Lewis and Sykes

28. Election of Chairman/woman

Councillor Ellery was elected as Chairman for the meeting.

29. Apologies

It was reported that the membership of the Sub-Committee had been amended for this meeting by including Councillor Sykes instead of Councillor Barnby.

30. Oldenburg Inn, 46-48 Winner Street, Paignton

Members considered a report on an application for a Variation to a Premises Licence in respect of the Oldenburg Inn, 46-48 Winner Street, Paignton, TQ3 3BQ.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation objecting to the variation to the Premises Licence in respect of the Oldenburg Inn, 46-48 Winner Street, Paignton on the grounds of the "Prevention of Crime and Disorder" and the "Prevention of Public Nuisance".	21 August 2022 and 15 September 2022
Member of the Public	Representation objecting to the variation to the Premises Licence in respect of the Oldenburg Inn, 46-48 Winner Street, Paignton on the grounds of the "Prevention of Crime and Disorder" and the "Prevention of Public Nuisance".	25 August 2022

Additional Information:

With the agreement of Members the Operator attended the hearing and made representation instead of the Applicant, who had returned their notice, due to them being unavailable at short notice.

The Member of the Public submitted an additional representation advising that they would be unable to attend the hearing and provided a short video, which was circulated to all parties prior to the hearing and played at the hearing and showed the fire doors being open and audible music from karaoke being heard from outside.

Oral Representations received from:

Name	Details
Applicant	The Applicant's Representatives outlined the Application and responded to Members' questions.

Applicant's response to Representations:

The Applicant's Representative advised that they would be willing to move the location of the karaoke from the front of the Premises towards the middle of the Premises to reduce the potential from noise outbreak when the doors were opened.

Decision:

That the application for a Variation to the Premises Licence in respect of the Oldenburg Inn, 46-48 Winner Street, Paignton be granted as applied for, subject to the following additional condition:

1. suitable signage be placed in the premises outside areas requesting that patrons keep their noise to a minimum so as not to unreasonably disturb nearby residents.

Reason for Decision:

Having carefully considered all the oral and written Representations, Members resolved to grant the application, having been satisfied that the operating schedule, along with the additional condition, would seek to ensure that the Licensing Objectives would be promoted.

In coming to their decision, Members had careful regard to the location of the Premises being within a residential area and the impact the extension of hours applied for, may have on those living in close proximity. In doing so, Members were assured, that the operating schedule, along with the additional condition, would alleviate the concerns raised by the two members of the public and would assist in promoting the Licensing Objectives 'the Prevention of Crime and Disorder' and 'the Prevention of Public Nuisance'.

Members noted the concerns raised by objectors which related to regulated entertainment and whilst this did not form part of this application, they were reassured

that the Operator took on board those concerns and would take steps to mitigate this, acknowledging that a nuisance could be caused from the karaoke and suggested that speakers could be located further inside the Premises to alleviate the nuisance complained of.

Whilst Members noted the oral representations of the Operator and the premises legal representative regarding the supervision of the premises outside areas, they determined it both proportionate and necessary to include the additional condition regarding signage, believing that this too would assist in promoting the Licensing Objective, 'The Prevention of Public Nuisance'.

In their careful consideration of the application, Members noted that no representations had been received from any of the Responsible Authorities objecting to the variation, and it was confirmed that the Applicant had consulted them on the application. Members therefore concluded, in the knowledge that the Responsible Authorities were very proactive in making representations where they had concerns, that there were none on this application.

In concluding, should any issues arise as a result of this grant, Members noted that a Review of the Premises Licence was available to any Responsible Authority or Interested Party.

Chairman/woman