



Public Agenda Item: **Yes**

Title: Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Coyote Café Bar, 3-5 Union Street, Torquay

Wards Affected: **Tormohun**

To: **Licensing Sub-Committee** On: **16 June 2011**

Contact Officer: **Mandy Guy**
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1. Key points and Summary

- 1.1 To consider and determine an application, in respect of the Premise detailed above, for a Variation to a Premises Licence. This application has been deferred from the Licensing Sub-Committee hearing on the 19 May 2011. A copy of the Committee report is shown as Appendices 1 to 4.
- 1.2 At the Sub-Committee hearing the Senior Licensing Officer referred to a letter that had been received from Coyote Café Bar stating that Coyote Torbay Limited had become technically insolvent and as such had ceased trading on the 11 May 2011. A copy of this letter is shown as Appendix 5. A letter was sent to Coyote Torbay Limited on the 17 May 2011 asking them to confirm if they wished to proceed with their Variation Application. This letter is shown as Appendix 6. There was no response to the letter.
- 1.3 Further to the Sub-Committee hearing on the 19 May 2011 a letter was sent to Coyote Torbay Limited informing them of the Committee's decision to defer the consideration of their application until the 16 June 2011. The letter also stated that we had received an application to transfer the Premises Licence and as such, asked them if they wished to formally withdraw their application, as they were no longer able to carry out business from this Premises. This letter is shown as Appendix 7. A notice inviting Coyote Torbay Limited to the Sub-Committee meeting on the 16 June 2011 was also sent. This notice is shown as Appendix 8. Torbay Council's Licensing Department has to date, received no response from either of these letters.
- 1.4 On the 26 May 2011 an application was received from John Gaunt and Partners

Solicitors to transfer the Premises Licence to Whitbread Group Plc who own the freehold of the building. This is shown as Appendix 9. The letter that accompanied the application stated the whereabouts of the outgoing Premises Licence Holder is not known. The application for the transfer application was requested to take immediate effect and is due to be granted on the 9 June 2011. Whitbread Group Plc has previously held the licence from 5 August 2008 until 3 November 2010. It was transferred to Coyote Torbay Ltd.

Frances Hughes
Executive Head Community Safety

Appendices

Appendices 1 – 4	Sub-Committee report from 19 May 2011
Appendix 5	Letter from Coyote Torbay Ltd dated 11 May 2011
Appendix 6	Letter to Coyote Torbay Ltd dated 17 May 2011
Appendix 7	Letter to Coyote Torbay Ltd after Committee dated 2 June 2011
Appendix 8	Notice inviting Coyote Torbay Ltd dated 2 June 2011
Appendix 9	Copy of the application to transfer the Premises Licence

If the above appendices are not attached to this report, they can be viewed at Connections Offices in Torquay, Paignton and Brixham and Torquay, Paignton, Churston and Brixham Libraries. Copies can also be obtained from the Democratic Services Office, Town Hall, Torquay.

Documents available in members' rooms

None

Background Papers:

The following documents/files were used to compile this report:

The current Premises Licence for the above Premise.
Torbay Council Licensing Policy 2011.