

## **Minutes of the Statutory Licensing Sub-Committee**

**9 July 2026**

**-: Present :-**

Councillors Barbara Lewis, Spacagna and Johns

### **6. Election of Chair**

Councillor Spacagna was elected as Chair for the meeting.

### **7. Application for a Variation to a Premises Licence**

Members considered a report on an application for a Premises Licence in respect of Hotel Indigo, Torbay Rd, Torquay, TQ2 6RH.

Written Representations received from:

| Name                 | Details                                                                                                                                                       | Date of representation |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Member of the public | Representation objecting to the application on the grounds of 'The prevention of Crime and Disorder' and 'The Prevention of Public Nuisance'                  | 2 June 2026            |
| Member of the public | Representation objecting to the application on the grounds of 'The prevention of Crime and Disorder', 'Public Safety' and 'The Prevention of Public Nuisance' | 5 June 2026            |

Oral representations received from:

| Name                    | Details                                                                                                                                                                                     |
|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant               | The Applicants legal representative, supported by representatives from the business owner and hotel management presented the submitted Application, and responded to questions from Members |
| 2 Members of the Public | 2 Members of the Public outlined their objections to the Application for a Premises Licence and responded to Member's questions.                                                            |

**Decision:**

That the application for a variation to the Premises Licence in respect of Hotel Indigo, Torbay Road, Torquay TQ2 6RH be approved as applied for, subject to the following additional and amended conditions, as proposed by the applicant.

The following conditions to be added under The Prevention of Public Nuisance at Annexe 2:

1. Clear and legible notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and to leave the vicinity as quickly and quietly as possible.
2. 'A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum nuisance or disturbance to neighbours, and;

Condition 4 under The Prevention of Crime and Disorder at Annexe 2 shall be amended as follows:

An incident log shall be kept and maintained at the premises which will include a log of the following, including pertinent details:

Any incidents of disorder or of a violent or anti-social nature  
All crimes reported to the venue, or by the venue to the police  
All ejections of patrons  
Any complaints received  
Any faults in the CCTV system  
Any visits by a responsible authority (under the Licensing Act 2003) or emergency service

Records must be completed within 24 hours of any incident, and will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The logs shall be kept for at least 12 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority

**Reasons:**

Having carefully considered all the written and oral representations, Members unanimously resolved to grant the variation application as applied for, subject to that set out in the decision, having been satisfied that with the proposed additional and amended conditions, all of the Licensing Objectives would be promoted.

Members were reassured by the Applicants professional and committed approach to operating these premises in a responsible manner and considered that the additional proposed and amended conditions reinforced this view. Members also noted that the additional and amended conditions were put forward by the Applicant in response to written representations received, demonstrating an understanding of the concerns of residents and a willingness to engage with them to proactively resolve issues.

Members noted that the Applicant had recently operated multiple Temporary Event Notices in a manner to that proposed in the application and considered that there had been sufficient opportunity for those in the immediate vicinity to experience the operation as proposed by the Applicant. Members noted that the use of Temporary Event Notices had not given rise to any public nuisance complaints, and that no representations had been received from any Responsible Authority in relation to the application.

Members considered the two objecting representations received, which set out concerns in relation to disturbance and likely criminal conduct in a residential area should this variation be granted. Members determined that there was insufficient evidence before them to support the assertions made in these representations. Both representations set out wider concerns which were beyond the remit of the licensing committee to determine, and Members had no regard to those wider concerns in their determination.

Members noted that the Applicant was not seeking to extend operating hours, nor had there been more than two representations received, as incorrectly set out in one of the objections, and could find no grounds on which the Licensing Objectives would be undermined by the granting of this variation. Members therefore considered that the proposed use of the rooftop bar was reasonable and proportionate in all circumstances, and that application was unlikely to result in the relevant concerns raised.

In concluding, Members unanimously considered it to be entirely in order to approve the application as submitted, and that the additional and amended conditions proposed were both appropriate and proportionate, and determined in all the circumstances, that the Licensing Objectives would not be undermined in granting the application for a variation to a Premises Licence. However, should issues arise as a result of granting this application, Members noted that a Review of the Premises Licence is available to any Responsible Authority or any Interested Person.

---

Chair

This page is intentionally left blank