



Minutes of the Licensing Sub-Committee

21 July 2011

-: Present :-

Councillors Addis, Doggett and Ellery

(Also in attendance: Councillor Brooksbank)

165. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

166. Minutes

The Minutes of the meeting of the Sub-Committee held on 16 June 2011 were confirmed as a correct record and signed by the Chairman.

167. Hollicombe Park, Torbay Road, Paignton

Members considered a report on an application for a Premises Licence in respect of Hollicombe Park, Torbay Road, Paignton.

Cumulative Impact Zone:

The Premises do not fall within the Cumulative Impact Area.

Written representations received from:

Name	Details	Date of Representation
Police	Representation suggesting an additional condition to be added to the Licence should the Licence be granted.	8 June 2011
Member of the Public	Representation objecting to the application on the ground of 'The Prevention of Public Nuisance'.	27 June 2011
Member of the Public	Representation objecting to the application on the grounds of 'The Prevention of the Public Nuisance' and	12 June 2011

	'The Prevention of Crime and Disorder'.	
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Oral Representations received from:

Name	Details
Applicant	The Applicant outlined the application as set out in the report and responded to Members questions.
Police	The Police Representative confirmed the conditions proposed in the report and the condition proposed by them would in their opinion alleviate their concerns.
Member of the Public	A Member of the Public outlined their objection to the application as set out in Appendix 3 to the report.
Member of the Public	A Member of the Public outlined their objection to the application and responded to Members questions.

Decision:

That the application for a Premises Licence be granted as applied for subject to the following:

That the proposed timings detailed in the application shall be permitted from 9 a.m. until 11 p.m. except for live music and performance of dance which will cease at 10 p.m.

That Schedule 4 point 16 be amended to read:

'That there shall be no more than 10 days of events per year and these shall be no more than 2 days consecutive.'

That the condition be added as proposed by the Police and agreed by the applicant. However this condition shall be amended to include the Torbay Council Licensing Department and therefore shall read as follows:

'A copy of risk assessments, event itinerary and event notification shall be supplied to the local Police Inspector, Torbay Police Licensing Department and Torbay Council's Licensing Department at least three months prior to any event.'

That the following amendments shall be made to the operating schedule as proposed by the Legal Advisor and agreed by the Applicant:

Schedule 1 point 5 shall read:

'All relevant documentation such as health and safety records and policies, risk assessments (including fire assessment), evacuation plans, site maps, emergency procedures, communications lists and insurances shall be kept available and produced for inspection when required by persons of a responsible authority.'

Schedule 1 point 6 shall read:

'Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and we will keep under observation all parts of the premises to which the audience have access, to ensure crowd control and security.'

Schedule 2 point 2 shall read:

'A register of staff, including security staff, working at the premises whilst the public is present shall be maintained and available upon request of the Police, Local Authority and Fire Service.'

Schedule 2 point 7 shall read:

'In the event of an alcohol licence being issued for an event only plastic glasses shall be used and extra security staff shall be hired as required and agreed by the Public Safety Advisory Group and recommended to be followed. No glass bottles will be sold.'

Schedule 3 point 4 shall read:

'Adequate access for emergency vehicles shall be provided and kept free from obstruction. Emergency points and hydrants shall be maintained.'

Schedule 3 point 11 shall read:

'Persons shall not be allowed to stand, sit or otherwise remain in any gangway or exit way.'

Schedule 5 point 1 shall read:

'There shall be a lost children's point on site and facilities to have announcements as laid out in the specific event operational plan.'

Reason for Decision

Having carefully considered all the written and oral representations Members resolved that in light of the comprehensive conditions put forward in the application. The oral reassurance from the Police that the Applicants had done everything to get their application right and as such supported it in the belief that they will work with them to ensure the local population is not unreasonably affected.

Members noted the representations by the residents and gave them due consideration. However it was noted by Members the absence of any representation from the Environmental Protection Department and as such were reassured by the conditions proposed in Schedule 4 of the applicants operating schedule that should alleviate the concerns of the residents in respect of public nuisance.

Members were also reassured that the applicant has considered the impact that their application will have on nearby residents and in their opinion resolved that all reasonable steps had been taken.

Should issues arise as a result of this grant, that seek to undermine the Licensing Objectives, Members would encourage a Review of this Licence from the Responsible Authorities or Interested Parties.

In concluding, Members resolved that these amendments and proposals are proportionate and necessary to ensure the promotion of the Licensing Objectives.

168. PB Stores, 105 Foxhole Road, Paignton

Members were informed that due to an error in the administration of the application for PB Stores, 105 Foxhole Road, Paignton consideration of the report was deferred until the Licensing Sub-Committee on Thursday 28 July 2011, at 9:30 a.m.

Chairman