



## Minutes of the Licensing Sub-Committee

28 July 2011

**-: Present :-**

Councillor

Councillors Addis, Butt and Ellery

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### 195. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

### 196. Apologies

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

### 197. PB Stores, 105 Foxhole Road, Paignton, TQ3 3SU

Members considered the report on an application for a Premises Licence in respect of PB Stores, 105 Foxhole Road, Paignton, TQ3 3SU.

Written Representations received from:

Name	Details	Date of Representation
Police	Representation confirming the Police have no objection to the Application subject to the inclusion of a condition that all spirits be kept behind the counter area and to be sold by counter service only.	6 June 2011
Member of the Public	Representation from a Member of the Public objecting to the application on the grounds of Public Safety, The Prevention of Crime and Disorder, and The Protection of Children from Harm.	21 June 2011

Oral Representations received from:

Name	Details
Applicant's Representative	The Applicant's representative outlined the application as set out in the report, confirming that the Applicant was willing to accept the condition suggested by the Police.
Member of the Public	Member of the Public outlined his objections to the application.

Additional Information:

Prior to consideration of evidence provided by the Member of the Public, the Sub-Committee passed a resolution to exclude the press and public from the meeting on the grounds that exempt information (as defined in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)) was likely to be disclosed.

Decision:

That the application for a Premises Licence in respect of PB Stores, 105 Foxhole Road, Paignton, TQ3 3SU be granted as applied for subject to the inclusion of the condition proposed by the Police, and the amendment of the Challenge 21 policy to a Challenge 25 Policy, as agreed by the Applicant. In addition, the hours for the permitted sale of alcohol be reduced to 9 a.m. to 11 p.m., as agreed by the Applicant.

Reason for decision:

Having carefully considered all of the written and oral Representations, Members gave due consideration of the concerns raised by the Interested Party in particular respect to the Protection of Children from Harm, however they noted the absence of any Representation from Safeguarding Children or Trading Standards, and that Trading Standards had reported no incidence of underage sales of age-restricted products from this Premises previously.

In respect of anti-social behaviour and Police resources, Members noted no formal objection from the Police other than the imposition of a condition.

The conditions proposed by the Applicant, in the Members opinion, sought to promote the Licensing Objectives and as such alleviated their concerns of the issues raised by the Interested Party.

Should issues arise as a result of this grant, Members would encourage a Review of the Premises Licence.

**198. Co-operative, Foxhole Road, Paignton, TQ3 3SS**

Members considered the report on an application for a Premises Licence in respect of Co-operative, Foxhole Road, Paignton, TQ3 3SS.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation from a Member of the Public objecting to the application on the grounds of Public Safety, The Prevention of Crime and Disorder, The Prevention of Public Nuisance and The Protection of Children from Harm.	21 June 2011

Oral Representations received from:

Name	Details
Applicant's Representative	The Applicant's representative outlined the application as set out in the report.
Member of the Public	Member of the Public confirmed that the oral Representation by the Applicant's Representative had allayed his fears.

Additional Information:

The Applicant's Representative confirmed that the Applicant would agree to an amendment to the hours for the permitted sale of alcohol to 8 a.m. to 11 p.m.

Decision:

That the application for a Premises Licence in respect of Co-operative, Foxhole Road, Paignton, TQ3 3SS be granted as applied for subject to the hours for the permitted sale of alcohol being reduced to 8 a.m. to 11 p.m., as agreed by the Applicant.

Reason for decision:

Having carefully considered all of the written and oral Representations, Members resolved that concerns in respect of the proposed hours for the permitted sale of alcohol on balance were alleviated given the comprehensive policies, procedures and training for staff in relation to the sale of age-restricted products, along with the history and reputation of this Applicant's retail experience.

Members considered the concerns raised by the Interested Party, but were satisfied that his concerns were alleviated by the oral Representation of the Applicant's Representative.

Members noted the absence of Representations from the Responsible Authorities, and as such were reassured that the application sought to promote the Licensing Objectives.

Should issues arise as a result of this grant, Members would encourage a Review of the Premises Licence.

**199. Below Decks, Beacon Quay, Torquay, TQ1 2BG**

Consideration of this item was deferred until the 4 August 2011.

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Chairman