

# Wollen Michelmore

## SOLICITORS

(Incorporating Toller Beattie)

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**c/o Town Hall**  
**Castle Circus**  
**Torquay TQ1 3DR**

**By e-mail only to [mandy.guy@torbay.gov.uk](mailto:mandy.guy@torbay.gov.uk)**

10 January 2019

Dear Sirs

**Review of Premises Licence, The Jolly Judge, 168-170 Union Street, Torquay TQ2 5QP**

We are instructed to make a representation in connection with the review of the above Licence on behalf of our client, **John James Sampson** of [REDACTED] who has, since the 11<sup>th</sup> July 2018, been the owner of the business operated from the pub and has a legal Licence in respect of the premises from **David McCabe** who is, we believe, the freehold owner of the premises.

The extent of our client's interest in the building is limited to the ground floor trading and business area and the cellar beneath. Accommodation and premises above the ground floor are not his responsibility.

Our client accepts that he was naïve in taking on the pub and did not have the relevant experience of running licenced premises, although he does hold a Personal Licence. His naivety and inexperience came to the fore following Mr David McCabe's application for Mr Sampson to be the Designated Premises Supervisor in place of Mr Edwards, a person who Mr Sampson had "inherited" from Mr McCabe, on the 19<sup>th</sup> December 2018.

Our client has now engaged the services of Ms Diane Dixon who is also the holder of a Personal Licence, as the Bar Manager he has given her the necessary management authority so that she can fully undertake the role of DPS at The Jolly Judge. Mr McCabe has been asked to submit an application for her to be DPS and additional information about her expertise and experience is being submitted to their Police to facilitate the investigations and assessments of the application.

Our client believes that with Ms Dixon's active involvement in the business the pub will be run in a correct manner with all of the licencing obligations and conditions observed properly at all times



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so that what has been a history of objectional and poor behaviour by customers, and in certain cases, those involved in management and poor administration of the business as a whole will be brought fully under control and that the adverse incidents will not recur.

Whilst not nominated as DPS, Ms Dixon became actively involved in the day to day management of the pub and since then, so far as our client is aware, there has been a significant reduction in adverse incidents at the pub, as he has been operating the business with Ms Dixon's support and guidance. At the same time, Mr Sampson has been closing the pub earlier in the evening.

Our client is willing to give undertakings to the Committee to maintain the earlier closing time (since he is not in a position to volunteer to vary conditions), and if those undertakings are accepted, will ensure they are observed at all times. Should Mr McCabe also offer undertakings with regard to the operation of the premises our client will give consideration to offering the same undertakings (subject to having received legal advice)

Our client hopes that the Licencing Committee will permit the Premises Licence to remain in force so that he has a short but reasonable period of time to demonstrate that the premises can be run properly and in an orderly fashion, and in strict compliance with the terms of the Premises Licence.

Yours faithfully

**WOLLEN MICHELMORE LLP**

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