



Minutes of the Licensing Sub-Committee

3 May 2012

-: Present :-

Councillors Addis, Parrott and Brooksbank

662. Election of Chairman/woman

Councillor Addis was elected as Chairman for the meeting.

663. Minutes

The Minutes of the meeting of the Sub-Committee held on 19 April 2012 were confirmed as a correct record and signed by the Chairman.

664. Exclusion of the Press and Public

Prior to consideration of the item in Minute 644 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

665. Renewal of Torbay Council Issued Driver's Licence

Having considered all the written and oral Representations the Licensing Sub-Committee considered all the options and resolved to warn the Respondent about his past and future conduct, that he be made aware that should future offences be committed or complaint(s) be received of a similar nature where there is evidence of such conduct, that he can anticipate being suspended immediately with a subsequent hearing in front of the Licensing Sub-Committee.

In arriving at this decision, the Licensing Sub-Committee have regard to the following that:

1. The Offense did not involve dishonesty.
2. There was significant mitigation surrounding the circumstances of the Offence.
3. The sentence of the Court did not involve any punishment.
4. The twelve month Conditional Discharge should be a deterrent to any future offending.

666. Licensing Act 2003 – An application for a Variation to a Premises Licence in respect of Your Local Co-Op, 18 Fore Street, St Marychurch, Torquay, TQ1 4LY

Members considered a report on an application for a Variation to a Premises Licence in respect of Your Local Co-op, 18 Fore Street, St Marychurch, Torquay, TQ1 4LY.

Written Representations received from:

Name	Details	Date of Representation
Members of the public	Three letters of Representation from 5 Interested Parties in relation of Licensing Objectives 'The Prevention of Public Nuisance,' 'The Prevention of Crime and Disorder' and 'The Protection of Children from Harm.'	8 April 2012

The Sub-Committee noted that the members of the public, who had submitted written Representation, had been advised the meeting was taking place and had not returned their notices to say they were attending but had asked for an additional written Representation to be circulated at the meeting with the approval of the Chair. A further document was circulated by the Licensing Officer with information about alcohol times at other convenience stores in the area.

Oral Representation was received from:

Name	Details
The Applicant and Barrister	The Applicant's Barrister outlined the Application, as set out in the submitted report and responded to the Representations from members of the public and Members questions.

The Application was introduced by the Licensing Officer who advised that there were no Representations from the Police or Public Protection.

Applicant's response to Representations:

The Application for a Variation to Premises Licence was a national rolling scheme to standardise opening hours across the Chain and address objections on a store by store basis taking into consideration local issues and tailor the Application at the Licensing Committee stage where Representations had been made.

The Applicant's Barrister advised Members that an amendment would be made to the Variation to Premises Licence and that the proposed opening time of 06.00 be changed to 07.00 as a result of Representations.

The Co-op has a Corporate Social Responsibility Charter which is a robust training programme for all staff with 6 monthly refresher courses covering ID for over 25 Scheme, and Proxy Sale Policy.

Decision:

That the application for a Variation to a premises Licence in respect of Your Local Co-op, 18 Fore Street, St Marychurch, Torquay be granted as amended and includes the conditions set out in the Operating Schedule.

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved to grant the Variation to the Premises Licence having particular regard to Representations made by Interested Parties and that no Representations were received from the Police.

The Licensing Sub-Committee determined that by granting this Application they would not be undermining the Licensing Objectives.

The Licensing Sub-Committee treated the Representations from Members of the Public seriously; however, they found there was insufficient evidence to determine that alcohol related problems would be added to if the Application was granted.

The Sub-Committee also had regard to the rigorous training scheme in the Co-op- the Social Responsibility Charter and noted that the Co-op had amended and reduced the opening hours applied for as a direct response to Representations made.

Chairman