

Tuesday, 24 August 2021

LICENSING SUB-COMMITTEE

A meeting of **Licensing Sub-Committee** will be held on

Thursday, 2 September 2021

commencing at the rising of the Licensing Committee

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor

Councillor Dart

Councillor Douglas-Dunbar

Councillor Ellery

Together Torbay will thrive

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, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

LICENSING SUB-COMMITTEE AGENDA

1. **Election of Chairman/woman**
To elect a Chairman/woman for the meeting.
2. **Apologies**
To receive apologies for absence, including notifications of any changes to the membership of the Committee.
3. **Minutes**
To confirm as a correct record the Minutes of the meeting of a Sub-Committee held on **insert date**.
4. **Declarations of interests**
 - (a) To receive declarations of non pecuniary interests in respect of items on this agenda
For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.
 - (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda
For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(**Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)
5. **Urgent items**
To consider any other items that the Chairman decides are urgent.

Meeting Attendance

Whilst national Covid-19 restrictions were lifted on 19 July 2021, Torbay Council has taken the decision to continue operating in a Covid-19 secure manner in order to protect staff and visitors entering Council buildings and to help reduce the spread of Covid-19 in Torbay. This includes social distancing and other protective measures (e.g. wearing a face covering (unless exempt), signing in and using hand sanitiser). Our public meetings will continue to operate with social distancing measures in place and as such there are limited numbers that can access our meeting rooms. Also, to help prevent the spread of the virus, anyone attending meetings is asked to take Covid lateral flow test the evening before - if you have a positive test result please follow the Government's guidelines and do not attend the meeting.

If you wish to attend a public meeting please contact us to confirm arrangements for your attendance.

6. Peregrine Retail Limited, Torquay Service Station, 119 Newton Road, Torquay

(Pages 4 - 5)

To consider an application for a Premises Licence in respect of Peregrine Retail Limited, Torquay Service Station, 119 Newton Road, Torquay.

Meeting: Licensing Committee

Date: 2 September 2021

Wards affected: Shiphay

Report Title: Licensing Act 2003 – An application for a Premises Licence in respect of Torquay Service Station, 119 Newton Road, Torquay TQ2 7AR

When does the decision need to be implemented? As soon as possible

This is a fuel forecourt store that has applied to sell alcohol off the premises 24 hours a day Monday to Sunday and Late-Night refreshment both on and off the premises from 23:00 to 05:00 Monday to Sunday.

The application has a substantial number of proposed conditions.

The following Additional Conditions have also been proposed by the Police to the Licensing Authority requesting to be added to the Premises licence.

- There shall be no self-service of spirits except for spirit mixtures.
- Alcohol displays within the premises shall be located so that staff can view these displays at all times.
- There will be no alcohol displayed within 2 metres of the store entrance.
- All cashiers shall be trained to record refusals of sales of alcohol in a refusals book/register. The book/register will contain:
 - details of the time and date the refusal was made;
 - the identity of the staff member refusing the sale;
 - details of the alcohol the person attempted to purchase.

This book/register shall be available for inspection by a police officer or other authorised officer on request.

The book/register shall be retained at the premises or at the officers of the licence holder for a minimum period of 12 months.

- Signage informing customers of the age verification policy adopted at the premises will be prominently displayed at the point of sale and at the night pay window.
- An incident book/register shall be maintained to record:
 - all incidents of crime and disorder occurring at the premises
 - details of occasions when the police are called to the premises

This book/register shall be available for inspection by a police officer or other authorised officer on request.

The book/register shall be retained at the premises or at the officers of the licence holder for a minimum period of 12 months.

- All staff engaged or to be engaged in the sale of alcohol on the premises shall receive training in age restricted sales.

Induction training must be completed and documented prior to the sale of alcohol by the staff member.

Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

Training records will be retained at the premises or at the offices of the licence holder for a minimum period of 12 months.

- The entrance door to the shop will be closed to customers between the hours of 0000 and 0500. Any sales between these hours will be made through the night pay window.
- The premises CCTV system will incorporate a camera covering the premises forecourt and the serving hatch at the front of the premises.

I can confirm the above conditions have all been agreed in writing between the Police and the applicant and this has been provided to the Licensing Authority.

The Authority is required to conduct a hearing under the provisions of Section 18(3) unless all parties agree that this is not necessary. Both parties, The Police and the applicant, do not feel a hearing is necessary as both are happy with the agreed conditions. There have been no other representations received for this application therefore the decision to grant the licence (technically with or without the additional conditions) must be made by the Licensing Sub-Committee. However in light that this is been brought as an urgent item, and that neither the applicant nor Police are present, then I seek that you will grant as agreed.