

Minutes of the Licensing Sub-Committee**1 July 2021****-: Present :-**Councillors Atiya-Alla, Barnby and Ellery

9. Election of Chairman

Councillor Ellery was elected as Chairman for the meeting.

10. Licensing Act 2003 - An application for a Variation to a Premises Licence in respect of Brixham Gin Company, The Old Sail Loft, Overgang Road, Brixham, TQ5 8AR

Members considered an application for a Variation to a Premises Licence in respect of the Brixham Gin Company, The Old Sail Loft, Overgang Road, Brixham, TQ5 8AR.

Written Representations received from:

Name	Details	Date of Representation
Member of the Public	Representation objecting to the application for a Variation of the Premises Licence on the grounds of 'public nuisance'.	21 May 2021 – this objection was withdrawn prior to the hearing.
Member of the Public	Representation objecting to the application for a Variation of the Premises Licence on the grounds of 'public nuisance'.	27 May 2021

Oral Representations received from:

Name	Details
The Applicant	The Applicant outlined their application and responded to Members questions.

Decision:

That the application for Variation to Premises Licence in respect of Brixham Gin Company, The Old Sail Loft, Overgang Road, Brixham, TQ5 8AR be granted as applied for, subject to the following two additional conditions:

1. the outside area shall only be used between 9.00 am and 9.00 pm; and

2. a portable barrier shall be situated on the boundary of the premises outside area, when in use, to clearly mark the demarcation with the road, to ensure patrons are kept safe on the premises.

Reason for Decision:

Having carefully considered all the written and oral Representations, Members resolved to grant the variation application subject to the two additional conditions, as they were satisfied that with these conditions, the premises operation would not undermine the Licensing Objectives.

In respect of use of the premises outside area, Members noted that there was a lack of detail in the application as to how this area would be managed and having heard the oral representation from the Applicant in this regard, Members could not be satisfied that signage alone would reduce the risk of noise outbreak from this area and noting the proximity of nearby residential premises, determined that to limit the use of this area between 9am and 9pm only, was appropriate.

In coming to that decision, Members had regard to the concerns raised by the member of the public in respect of the prevention of public nuisance and were satisfied that these concerns should be alleviated by the additional condition to limit use of the outside area, noting also that the premises had limited capacity to accommodate patrons inside.

In concluding, Members noted that should issues of concern arise as a result of this grant, a Review of the Premises Licence is available to either members of the public or Responsible Authorities.

Chairman