

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD
AT FOLLATON HOUSE, TOTNES, THURSDAY 5 FEBRUARY 2009**

Present: Councillors Blackler, Saltern and Squire
Mr Graham Munson – Licensing Manager
Colin Miles – Legal Executive
Jo Doney – Member Support Officer

Also in attendance:

Cllr Baverstock – Chairman of the Licensing Committee
Cllr Vint - Local Ward Member
Cllr Ward - Local Ward Member

LSC.17/08 APPOINTMENT OF CHAIRMAN

RESOLVED

That Cllr Saltern be appointed Chairman for the duration of the meeting.

LSC.18/08 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

**LSC.19/08 DETERMINATION OF AN APPLICATION FOR A VARIATION
OF A PREMISES LICENCE UNDER THE LICENSING ACT
2003: DARTMOUTH INN, 28 WARLANDS, TOTNES**

1. Licensing Officer's Report

The Licensing Manager presented the report and outlined the application before the Sub-Committee. It was noted that representations had been received in relation to the original application.

The report stated that the police and applicant had agreed to certain amendments being made to the original application and that if these amendments were included in the operating schedule, then a full hearing was not necessary.

The following application was considered:

Dartmouth Inn, 28 Warlands, Totnes

2. Committee's Deliberations

The Committee was informed that only the Police had lodged relevant representations on this application, but the reasons of those representations were not available to the Sub-Committee at this meeting.

The Committee heard from the applicant's legal advisor, who said that what he thought was taking place was a full hearing, and that therefore the Sub-Committee should be in a position to make a decision at this meeting.

The Council's legal advisor proceeded to give advice to those present in respect of relevant procedures and processes.

3. Committee Adjourned

At this stage, the Committee adjourned to deliberate. It was joined by the Council's Legal Officer, who gave advice on legal matters and wording only, but did not take an active role in the deliberations.

4. The Decision

The Chairman announced the decision:

"We have decided that we are not in a position to agree the proposed amendments as we are not in possession of the full facts"

"It is our decision therefore to refer the matter to a full hearing, to be arranged for 26th February 2009". This being necessary in the public interest and to allow for clarification and further information from the Police.

Chairman