

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD
AT FOLLATON HOUSE, TOTNES, WEDNESDAY 8 AUGUST 2007**

Present: Councillors Baverstock, Carson and Squire
Mr G Munson, Licensing Manager
Mr C Miles, Legal Executive, SHDC
3 Interested Parties

LSC.18/07 APPOINTMENT OF CHAIRMAN

RESOLVED

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

LSC.19/07 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 was made.

LSC.20/07 DETERMINATION OF AN APPLICATION FOR A PERSONAL LICENCE WHERE THE POLICE HAVE SERVED AN OBJECTION

1. Introduction

The Chairman introduced the Members of the Sub-Committee, the Licensing Officers and Legal Executive. The Applicant and Interested Parties who were in attendance for this application were then asked to identify themselves and were invited to come forward.

2. Procedure to be followed

The Legal Executive in attendance outlined the procedure to be followed at the hearing, which had previously been circulated to Interested Parties as part of the Notice of Hearing.

3. Licensing Manager's Report

The Licensing Manager presented his report and outlined the application before the Sub-Committee. Due to the nature of the discussions being in relation to the applicants convictions it was:-

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

The Sub-Committee proceeded to discuss the application, hearing representations from both the applicant and his representative and the Police representative. Once all Members were satisfied that they had no further questions, it was then:

RESOLVED

That the public and press be re-admitted.

3. Committee Adjourned

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

The Decision

On returning the Chairman announced the decision:

'We have considered the application for a new premises licence under the Licensing Act 2003.

We have given consideration to:

- The representations made in writing and those presented to us today
- Our own Statement of Licensing Policy
- The Government Guidance issued under the Act
- The promotion of the licensing objectives

It is our decision therefore to grant this application.'

LSC.21/07 TO DETERMINE THE FOLLOWING APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003 FOR A NEW PREMISES LICENCE – Countyman’s Choice, Cadleigh Park, Ivybridge, PL21 9JL and Holne Village Store and Tearoom, Holne, Newton Abbot, TQ13 7SL

1. Licensing Manager’s Report

The Licensing Officer 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 operating schedules had been amended after mediation with interested parties and it had been agreed that there should not be a formal hearing.

The following applications were considered:

Countyman’s Choice, Cadleigh Park, Ivybridge, PL21 9JL
Holne Village Store and Tearoom, Holne, Newton Abbot, TQ13 7SL

2. Committee’s Deliberations

The Sub-Committee asked the Licensing Manager if all those who originally objected to the operating schedule were now content with the proposed amendments to the operating schedule and whether all had agreed that there should not be a formal hearing. The Licensing Manager confirmed that this was the case.

3. The Decision

The Chairman announced the decision:

“We have considered the application to grant a new premises licence.

We have considered our own Statement of Licensing Policy, the guidance and our obligations that relate to promoting the four licensing objectives.

We note the revised operating schedules submitted as amended and that all parties are in agreement that a hearing is not necessary.

It is our decision therefore, to grant the licence subject to the amended operating schedules”.

Chairman