

NORTH DEVON COUNCIL

Minutes of a meeting of the LICENSING SUB-COMMITTEE B of the LICENSING COMMITTEE held at Brynsworthy Environment Centre, Barnstaple on Thursday 3rd May 2018 at 10.00 a.m.

PRESENT: Members:

Councillor Yabsley (Substitute for Councillor Barker) (Chairman).

Councillors Gubb and Jones.

Officers:

Senior Solicitor (TB), Lead Officer Licensing (HB), Licensing Officer (PF) and Corporate and Community Services Officer (AD).

(a) APPOINTMENT OF CHAIRMAN

RESOLVED, that Councillor Yabsley be appointed chairman of the Sub-Committee for this meeting.

(b) APOLOGIES FOR ABSENCE

There were no apologies for absence received.

(c) DECLARATIONS OF INTEREST

The following declaration of interest was announced:

Councillor Yabsley Item 6 – Personal Interest as a Devon County Councillor for South Molton and rural area.

(d) APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR SOUTH MOLTON RUGBY FOOTBALL CLUB, PATHFIELDS INDUSTRIAL ESTATE, SOUTH MOLTON, DEVON, EX36 3LH. (REFERENCE NUMBER 047545)

Also present:

Mr Grant Sheldon, Club Steward (Applicant) and Mr Trevor Frost, (Club President).

The Chair introduced himself, Members of the Sub-Committee, Officers present, before outlining the nature of the hearing.

RESOLVED, that the meeting proceed in the absence of Mr Carlo Melchior and Mrs Alina Melchior (Persons who made relevant representations).

The Lead Officer Licensing outlined a report (circulated previously) regarding an application for the grant of a premises Licence for South Molton Rugby Football Club, Pathfields Industrial Estate, South Molton, Devon, EX36 3LH (Reference Number 047545). He requested confirmation from the Applicant that they would surrender the existing Club Premises Certificate (number 38) if the premises Licence was granted. The Applicant confirmed it was their intention to do so.

The Applicant was invited to present his case. In his presentation to the Sub-Committee the Applicant explained that advice had been given by the Police Licensing Officer and that the main reason for applying for a full Licence was that they now held more 1st team fixtures than the number of Temporary Event Notices (TENs) allowed and as these events were their main source of income other than sponsorship, this issue had to be addressed.

Members of the Sub-Committee questioned the Applicant.

In response to a question regarding the reduction of hours open to the public and the period of the sale of alcohol the applicant agreed they were happy to reduce the sale of alcohol and close to the public half an hour earlier than applied for.

The Lead Officer Licensing summed up.

The Applicant summed up.

RESOLVED, that everyone be excluded from the meeting with the exception of Members, the Legal representative and Committee Clerk in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting.

The Corporate and Community Services Officer was asked to read out the proposed decision which was voted upon and agreed.

RESOLVED, that the application for the grant of a premises licence in respect of the South Molton Rugby Football Club, Pathfields Industrial Estate, South Molton, Devon, EX36 3LH (reference 047545) be granted as applied for with the conditions submitted by the applicant contained in paragraph 2.4 of the report (circulated previously) and as agreed by the Police and the proposed licensing activities and hours as applied for subject to the following amendment:

(a)

Activity	Day	Start	Finish
Supply of Alcohol on and off the premises	Sunday to Thursday	10:00	23:00
	Friday and Saturday	10:00	00:00
Hours open to the public	Sunday to Thursday	08:00	23:30
	Friday and Saturday	08:00	00:30

(b) Subject to a condition requiring the chaining off of the balcony behind the bar, other than for Members of the Committee.

In reaching its decision the Sub-Committee gave regard to the issue raised by the party who made relevant representation and therefore, imposed condition (b), as above.

(d) APPLICATION FOR THE GRANT OF A PREMISES LICENSE FOR THE DIGZ NIGHTCLUB, 11-12 HIGH STREET, ILFRACOMBE, DEVON, EX34 9DF (REFERENCE NUMBER 047628)

Also present:

Mr Kevin Prideaux, (Applicant), Mrs Karen Prideaux, (Applicant) and Linsey Proctor, (Applicant).

RESOLVED, that the meeting continue in the absence of Mr MJ Dyer and Mrs S Dyer, (Persons who had made relevant representations).

The Licensing Officer outlined a report (circulated previously) regarding an application for the grant of a Premises Licence (Reference 047628) and confirmed that the application had been properly made. In his presentation he advised the Sub-Committee of the previous names that the premises had operated under and the fact that there had been a night club at these premises since 1992. The latest operation had ceased in 2014. The Licensing Authority and the Police Licensing Officer had met with the Applicants to discuss the conditions, presented under Appendix 7 of the Licensing Officer's report (circulated previously).

Mr Prideaux, (Applicant) addressed the Sub-Committee, outlining the reasons for the need for the licence. He explained that Ilfracombe did not currently have a nightclub only a late night bar. He said his daughter Linsey would be running the club. They had written to Mrs Dyer (person who had made a relevant representation) to reassure her

that they would deal with her concerns. The Applicant said that he was happy to store CCTV recordings for 21 rather than 14 days.

In response to a question about when their activities would take place and whether this clashed with activities happening at the indoor market above the premises, Linsey Proctor, (Applicant) explained that they would only be open after any event held at the Indoor Market had ended.

Mr Prideaux explained that the residential part of the building was at the back of the building and the main activity would be happening at the High Street end where the public would be exiting and using the Taxi rank opposite.

The Licensing Officer summed up.

The Applicant summed up.

RESOLVED, that everyone be excluded from the meeting with the exception of Members, the Legal representative and Committee Clerk in order for the Sub-Committee to receive legal advice in accordance with paragraph 5 of Schedule 12A of the Local Government Act 1972.

RESOLVED that everyone be re-admitted to the meeting.

The Chairman requested that the Corporate and Community Services Officer read the proposed decision, which was voted upon and agreed.

RESOLVED, that the application for the grant of a Premises Licence in respect of Digz Nightclub, 11-12 High Street, Ilfracombe, Devon, EX34 9DF (reference number 047628) be granted as applied for subject to the Conditions as set out in Appendix 7 of the agenda (circulated previously) and with the addition of a further condition of D48, from the list of standard conditions, with the amendment to the effect of:

- All recordings would be stored for a minimum of 21 days with date and time stamping.

In reaching its decision the Sub-Committee had taken into account the representations received but they considered that the Applicants had addressed those issues through the conditions which they had offered and the hours of opening took account of the hours of operation of other Premises in the area.

Chairman

The meeting ended at 11.55 a.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Licensing Committee.