

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD AT
FOLLATON HOUSE, TOTNES ON MONDAY 15 MAY 2017**

Present: Cllrs Daniel Brown, Tom Holway and David May
Sue Nightingale, Solicitor
Naomi Stacey – Specialist, Licensing
Darryl White, Senior Specialist – Democratic Services

Also in attendance and participating:

Kirsty McDonald – on behalf of KSM (Dartmoor Union) Ltd

Also in attendance and not participating:

Cllr Keith Baldry – local Ward Member

LSC.01/17 **APPOINTMENT OF CHAIRMAN**

RESOLVED

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

LSC.02/17 **DECLARATIONS OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllr D W May declared a personal interest in Item 4: 'To Determine an Application for a New Premises Licence for the Dartmoor Union Inn, Fore Street, Holbeton PL8 1NE' (Minute LSC.03/17 below refers) by virtue of his cousin being married to one of the objectors and remained in the meeting and took part in the debate thereon.

LSC.03/17 **TO DETERMINE AN APPLICATION FOR A NEW PREMISES LICENCE FOR THE DARTMOOR UNION INN, FORE STREET, HOLBETON PL8 1NE**

The Sub-Committee considered a report that sought to determine an application for a new premises licence at the Dartmoor Union Inn, Fore Street, Holbeton.

The Licensing Specialist introduced the report and outlined the details of the application (as stated in the application form at Appendix A of the presented agenda report). In addition, the Licensing Specialist specifically outlined the amendments that were illustrated at Appendix B of the presented agenda report that had been agreed between the applicant and the Police.

The attention of the Committee was also drawn to the letters of objection (as outlined at Appendix C of the presented agenda report) and the additional information that had been received since the meeting agenda had been published. In so doing, the Licensing Specialist reminded the Sub-Committee that its decision must be based upon the four licensing objectives and it could not consider reasons such as the need for the application in light of there being another pub in Holbeton as being a potential reason for refusing this application. Nonetheless, a Member was of the personal view that, as a principle, opening hours should be consistent for each of those licensed premises that were located within the same village.

With regard to the opening hours, it was noted that there had been some contradictory information contained within the additional papers circulated and the Sub-Committee was specifically asked to take this into account during its deliberations.

1. Address by the Representative of KSM (Dartmoor Union) Ltd

In her address, the representative made specific reference to:-

- the intention being that the core business of the premises would be food (and not alcohol) related;
- clarifying the proposed opening and licensing hours;
- the premises intending to embrace and enforce the Challenge 25 Policy;
- the culture of unsupervised children at the premises. Whilst the Police had raised no comments in response to the allegations that had been raised in some of the letters of objection, the representative highlighted the condition relating to the supervision of children. In addition, the representative gave a personal commitment that, after 6.00pm, children under the age of 8 would only be permitted within the eating area of the premises.

(At 10.20am, the Sub-Committee then adjourned in the presence of Mrs Nightingale to consider the application and reconvened at 10.30am).

2. The Decision

In announcing the Sub-Committee decision, the Chairman read out the following statement:

"We have considered the application for a new premises licence.

We have considered the Statement of Licensing Policy, the government guidance and our obligations that relate to the promotion of the licensing objectives.

We have read carefully the written representations from all parties, plus additional statements from persons here today. We have also considered the additional conditions proposed by the Police and accepted by the Applicant.

It is our decision to grant this application, subject to the following changes being incorporated into the operating schedule and to include the additional conditions requested by the Police. We have determined the changes to be appropriate to achieve the licensing objectives:

- *The opening hours being from 12 noon to 11.00pm on Monday to Saturday; and 12 noon to 10.30pm on Sundays, with the sale of alcohol to terminate 15 minutes before closing for prevention of public nuisance..*

In addition to being appropriate, the Committee also believe the amendments to be necessary.”

Chairman