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SOUTH HAMS LICENSING COMMITTEE - WEDNESDAY, 25TH FEBRUARY, 2015

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Agenda Letter** (Pages 1 - 2)

2. **Reports**

Reports to Licensing:

- a) Item 5 - Summary of new/variation of premises licences issued plus licences issued under the Miscellaneous provisions Act 1982 plus other miscellaneous licences
(Pages 3 - 10)
- b) Item 7 - EXEMPT -To determine whether an applicant for a Hackney Carriage drivers Licence is a 'Fit and Proper' person to hold such a licence (Pages 11 - 28)

3. **Minutes** (Pages 29 - 32)

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Agenda Item 1

Please reply to: Darryl White
Service: Corporate Services
Direct Telephone: 01803 861247
E-Mail: darryl.white@southhams.gov.uk

To: Chairman & Members of the Licensing Committee
(Cllrs Baverstock, Blackler, Carson, B Cooper, Cuthbert,
Gilbert, Hannaford, May, Pannell, Saltern, Squire and Wright).

Our Ref: CS/KT

cc: Usual officer and press circulation

17 February 2015

Dear Councillor

A meeting of the **Licensing Committee** will be held in the **Cary Room**, Follaton House, Plymouth Road, Totnes on **Wednesday, 25 February 2015** at **10.00 am** when your attendance is requested.

Yours sincerely

Kathryn Trant
Member Services Manager

<p>FOR ANY QUERIES ON THIS AGENDA, PLEASE CONTACT DARRYL WHITE DEMOCRATIC SERVICES MANAGER ON DIRECT LINE 01803 861247</p>

A G E N D A

1. **Minutes** - to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Licensing Committee held on 18 September 2013 (pages 1 to 10) and the Licensing Sub-Committees held during the period 18 September 2013 to 29 September 2014 (pages 11 to 49);
2. **Urgent Business** - brought forward at the discretion of the Chairman;
3. **Division of Agenda** - to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
4. **Declarations of Interest** - Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests, they may have in any items to be considered at this meeting;

5. **Summary of new/variation of premises licences issued plus licences issued under the Miscellaneous provisions Act 1982 plus other miscellaneous licences** – to consider the list of licences issued from 1 April 2014 to enable Members the opportunity to make any comments (pages a to g);

6. **Exclusion of the Public and Press**

“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 items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act”;

7. **To determine whether an applicant for a Hackney Carriage drivers Licence is a ‘Fit and Proper’ person to hold such a licence** – to determine whether an applicant for a Hackney Carriage Drivers Licence is a ‘Fit and Proper’ person to hold such a licence (pages 50 to 65).

Members of the public may wish to note that the Council's meeting rooms are accessible by wheelchairs and have a loop induction hearing system

**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER
THIS AGENDA HAS BEEN PRINTED ON ENVIRONMENTALLY FRIENDLY PAPER**

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Summary of New / Variation of premises licences and club premises certificates issued between 1st April 2013 to 31st December 2014

Licensing Act 2003 / Gambling Act 2005

Date received	Name of premises	Type of application	Outcome
03.04.13	Salcombe Delicatessen, Salcombe	New	Full hearing – granted as applied for by sub-committee
29.04.13	South Devon Arts Centre, Totnes	New	Mediated – approved by officer
01.05.13	Curator Café, Totnes	New	Granted by officer
03.05.13	Simply Fairfax Brasserie, Dartmouth	New	Granted by officer
29.05.13	Rock Solid Race, Newnham Park, Plympton	New	Granted by officer. Then withdrawn as event cancelled.
30.05.13	Blackawton Community Shop, Blackawton	New	Granted by officer
11.06.13	Sailor V, Salcombe	New	Granted by officer
19.06.13	Lidl, Dartmouth	Minor variation	Granted by officer
22.07.13	One Stop, Bickleigh	Minor variation	Granted by officer
24.07.13	Bakers Bar, Dartmouth	Variation	Withdrawn
24.07.13	Dart to Mouth Deli, Dartmouth	New	Granted by officer
25.07.13	Vino's Pizzeria and Grill, Ivybridge	New	Full hearing – granted with amendments by sub-committee

22.08.13	Dartmouth and District Conservative Club	Variation	Full hearing – granted with amendments by sub-committee
29.08.13	Oasis Café, Totnes	New	Full hearing – granted with amendments by sub-committee
11.09.13	East Allington Village Shop, East Allington	New	Mediated – approved by officer
18.09.13	Morrisons, Totnes	Minor variation	Granted by officer
19.09.13	Newton Ferrers Post Office, Newton Ferrers	New	Granted by officer
29.10.13	Aune Valley Meat, Loddiswell	Variation	Granted by officer
11.11.13	Wild Fig Deli, Totnes	New	Granted by officer
18.11.13	Market House Inn, Dartmouth	Minor variation	Granted by officer
04.12.13	Shell Carew, A38 South Brent	New	Full hearing – granted with amendments by sub-committee
05.12.13	Red Earth Deli, Kingsbridge	New	Amendments made – approved by officer
12.12.13	Victoria Inn, Salcombe	Minor variation	Granted by officer
13.12.13	Durant Arms, Ashprington	Minor variation	Granted by officer
18.12.13	Totnes Grill, Totnes	Minor variation	Granted by officer
19.12.13	Shilstone House, Modbury	New	Amendment made – approved by officer
10.01.14	Filham Park, Ivybridge	New	Withdrawn during consultation period
16.01.14	Dartington Cider Press Centre, Dartington	Minor variation	Granted by officer

22.01.14	Thurlestone Golf Club, Thurlestone	New	Granted by officer
24.01.14	Stokenham House, Stokenham	New	Granted by officer
04.02.14	Crab Shed, Salcombe	New	Mediated – approved by officer
19.02.14	Shire Horse Centre, Dunstone, Yealmpton	New	Full hearing – adjourned for one month. Full hearing – granted with amendments by sub-committee
20.02.14	Overbeck's House, Salcombe	Minor variation	Granted by officer
28.02.14	Regatta Marquee, Coronation Park, Dartmouth	New	Mediated – approved by officer
10.03.14	Holbeton Village Hall, Holbeton	Minor variation	Granted by officer
13.03.14	Zanne's Bistro, Kingswear	New	Mediated – approved by officer
1.4.14	The Buddha's Smile, Totnes	New	Withdrawn during consultation period
9.4.14	Radio Dart Cafe Lounge, Dartmouth	New	Mediated – approved by officer
15.4.14	Sand Pebbles Hotel	Minor variation	Granted by officer
16.4.14	Volksfest, Newnham Park, Plympton	Minor variation	Mediated – approved by officer
24.4.14	Glazebrook House Hotel, South Brent	Minor variation	Granted by officer
25.4.14	Holi One, Newnham Park, Plympton	New	Mediated – approved by officer
28.4.14	Co-operative, Dartmouth	Minor variation	Granted by officer

1.5.14	Wrangaton Golf Club, Wrangaton	New	Mediated – approved by officer
12.5.14	Co-operative, Ivybridge	Minor variation	Granted by officer
19.5.14	Sandwell River Rooms, Sandwell	New	Granted by officer
2.6.14	Imperial Inn, Ivybridge	Review	Full hearing – granted with amendments by sub-committee
4.6.14	Holy Cow, Totnes	New	Withdrawn during consultation period
11.6.14	Otter Nurseries, Brixton	New	Granted by officer
20.6.14	Harbour Lights, Hope Cove	Variation	Mediated – approved by officer
7.7.14	South Devon Chilli Farm, Loddiswell	New	Granted by officer
9.7.14	The Barn, South Milton	New	Granted by officer
9.7.14	Co-operative, Modbury	Minor variation	Granted by officer
9.7.14	Co-operative, South Brent	Minor variation	Granted by officer
16.7.14	Brill Plaice, Stoke Fleming	New	Mediated – approved by officer
23.7.14	Devon Juicer, Woolston	New	Mediated – approved by officer
4.8.14	Pie Shop, Totnes	New	Full hearing – granted with amendments by sub-committee
8.8.14	Berry Pomeroy Castle, Berry Pomeroy	New	Mediated – approved by officer
19.8.14	Totnes Wine Company, Totnes	New	Mediated – approved by officer

3.9.14	Co-operative, Newton Ferrers	Minor variation	Granted by officer
19.9.14	Williams McKenna Wines, Stoke Gabriel	New	Mediated – approved by officer
7.10.14	Maltsters Arms, Tuckenhay	Minor variation	Granted by officer
8.10.14	Annies Fruit Shop, Totnes	New	Mediated – approved by officer
16.10.14	Bridge Inn, Ivybridge	Minor variation	Granted by officer
28.10.14	Hope and Anchor, Hope Cove	Minor variation	Granted by officer
10.11.14	New Lion Brewery, Totnes	New	Mediated – approved by officer
30.10.14	Chillington Village Hall and Helmer's Field, Chillington	New	Mediated – approved by officer
27.11.14	Dartington Hall, Dartington	New	Granted by officer

Issue of licences/Amendments under Licensing Act 2003, Gambling Act 2005 and The Local Government (miscellaneous provisions) Act 1982 in the period 1st April 2013 to 31st December 2014

Transfer of premises licence	60	Issued by officer
Change of designated premises supervisor	194	Issued by officer
Personal Licences		
New	135	Issued by officer
Temporary Event Notices	1026	Acknowledged by officer

Gambling Act 2005

Category C & D Machines		
New	10	Issued by officer
Small Society Lotteries (New)	46	Issued by officer
Occasional Use Notice	4	Issued by officer
Licensed Premises Gaming Machine Permit	1	Issued by officer

The Local Government Miscellaneous Provisions Act 1982

Hackney Carriage

Drivers (New and Renewal) 270 Issued by officer

Vehicles (New and Renewal) 251 Issued by officer

Private Hire

Drivers (New and Renewal) 36 Issued by officer

Vehicles (New and Renewal) 30 Issued by officer

Operators (New and Renewal) 20 Issued by officer

Combined Driver Licences (New and Renewal) 0 Issued by officer

Miscellaneous Licensing

Animal Boarding Licence (New and Renewal) 22 Issued by officer

Pet Shop Licences (New and Renewal) 3 Issued by officer

Riding Establishments (New and Renewal) 20 Issued by officer

Skin Piercing (New) 19 Issued by officer

Scrap Metal Dealer Site (New) 4 Issued by officer

Scrap Metal Dealer Mobile Collector (New) 8 Issued by officer

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MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON WEDNESDAY 25 FEBRUARY 2015

MEMBERS

∅ Cllr J H Baverstock - Chairman

* Cllr P K Cuthbert - Vice-Chairman

∅ Cllr J I G Blackler

* Cllr B E Carson

* Cllr B S Cooper

∅ Cllr R D Gilbert

∅ Cllr M Hannaford

* Cllr D W May

* Cllr C M Pannell

* Cllr M F Saltern

* Cllr J W Squire

* Cllr S A E Wright

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

All Agenda Items: Business Support Manager, Licensing Officer, Solicitor and Member Services Manager

L.01/14 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 18 September 2013 and the Sub-Committees held during the period 18 September 2013 to 29 September 2014 were all confirmed as a correct record and signed by the Chairman.

L.02/14 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following were made:

Cllr D W May declared a personal interest in Item 7 'To determine whether an applicant for a Hackney Carriage drivers licence is a Fit and Proper person to hold such a licence' as one of the organisations referred to in the exempt papers was an organisation that his company had business with. He remained in the meeting and took part in the debate and vote thereon.

L.03/14 **SUMMARY OF NEW/VARIATION OF PREMISES LICENCES ISSUED BETWEEN 1 APRIL 2014 AND 31 DECEMBER 2014 PLUS LICENCES ISSUED UNDER THE MISCELLANEOUS PROVISIONS ACT 1982 PLUS OTHER MISCELLANEOUS LICENCES**

The Licensing Officer introduced a table of licences that had been issued between 1 April 2014 and 31 December 2014 to enable Members to make any comments.

Following a brief discussion, it was then:

RESOLVED

That the table of licences issued between 1 April 2014 and 31 December 2014 be noted.

L.04/14 **EXCLUSION OF THE PUBLIC AND PRESS**

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 items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act”

L.05/14 **TO DETERMINE WHETHER AN APPLICANT FOR A HACKNEY CARRIAGE DRIVERS LICENCE IS A ‘FIT AND PROPER’ PERSON TO HOLD SUCH A LICENCE**

Consideration was given to an exempt report which sought to determine whether an applicant was a ‘fit and proper’ person to hold a Hackney Carriage Driver Licence with this Authority in accordance with section 59 of the Local Government (Miscellaneous Provisions) Act 1976.

The Chairman introduced the report. The Applicant was in attendance at the meeting and was given the opportunity to address the Committee. Also in attendance were a previous employer and the prospective employer of the Applicant. Some Members asked questions of those attending and the Business Support Manager confirmed the options that were open to the Committee.

(At this point, the Hackney Carriage Driver was asked to leave the meeting to enable the Committee to make a decision. The Solicitor and Member Services Manager remained in the meeting).

The Decision

The Chairman then proceeded to announce the decision as follows:

“In consideration of all of the information presented, the Committee have decided to grant the applicant’s Hackney Carriage Driving Licence.”

(Meeting commenced at 10.00 am and concluded at 10.45 am).

Chairman

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