

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD AT
FOLLATON HOUSE, TOTNES ON THURSDAY 2 APRIL 2015**

Present: Cllrs John Baverstock, Rufus Gilbert and Simon Wright
Sue Nightingale, Solicitor
Kathy Trant, Member Services Manager
Naomi Wopling, Licensing Officer

Members also in attendance:

Cllr Robert Vint (not participating)

Also in attendance and participating:

Mr D Hughes – Representing the Applicant
Mr J Oates – Resident

LSC.12/14 APPOINTMENT OF CHAIRMAN

RESOLVED

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

LSC.13/14 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 but none were made.

**LSC.14/14 TO DETERMINE AN APPLICATION FOR A NEW PREMISES LICENCE AT
TOTNES CINEMA, 27a HIGH STREET, TOTNES, TQ9 5NP**

The Committee considered a report that sought to determine a new Premises Licence at Totnes Cinema, 27a High Street, Totnes.

The Licensing Officer proceeded to present the application and the contents of her report. The Chairman summarised the main issues for consideration as the time of the venue closing and the time for alcohol to cease to be served.

1. Address by Mr Oates, Resident

In his address, Mr Oates made particular reference to:-

- The difficulty of noise nuisance within Totnes High Street and how closing half an hour earlier would make a real difference
- Other cinema listings had been considered and he felt an earlier start time and corresponding closing time would still make the venture viable
- He felt there was a great deal of support for the cinema in Totnes, and he himself was in favour of it if appropriate conditions could be agreed

- There was already an issue of how deliveries and collections were made throughout the High Street as this was not currently regulated so this application presented an opportunity to confirm delivery and collection times.

2. Address by Mr Hughes, Representing the Applicant

In his address Mr Hughes confirmed that the closing time requested of 11.00pm was critical to the viability of the cinema and if this was not granted then there would be no cinema.

3. Discussion

The Committee asked a number of questions relating to the timings. The Licensing Officer confirmed that the Applicant had advised her he wanted an 11pm closing time for flexibility and to accommodate two showings of a film during the evening, therefore making the cinema viable. Mr Hughes confirmed that this flexibility was required, Mr Oates appreciated the need for flexibility but also asked that the Committee consider the need to safeguard the residents.

(At 11.55am, the Sub-Committee adjourned in the presence of Mrs Nightingale to consider the application and reconvened at 12.10pm).

4. The Decision

The Chairman read out the following statement:

“We have considered the application for a new premises licence at Totnes Cinema, 27a High Street, Totnes.

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 received from parties not present today and have read carefully representations received from parties present plus additional statements from persons here today. We have also considered the conditions and amendments proposed by the applicant and those suggested by the local resident.

It is our decision to GRANT the Application, subject to the additional conditions and amendments to the application proposed by the Applicant in advance of the hearing.

We have determined the changes to be appropriate to achieve the licensing objectives. In addition to being appropriate, the Committee also believe the amendments to be necessary.

Thank you all”.

Chairman

