

LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE

Minutes of the Meeting held

Thursday, 29th July, 2010, 10.30 am

Present: Councillor Bryan Chalker, Councillor Carol Paradise, Councillor Tim Warren (Chair)

Also in attendance: Emma Stoneman (Licensing Officer), Shaine Lewis (Senior Legal Adviser)

1 EMERGENCY EVACUATION PROCEDURE

The Clerk read out the procedure.

2 ELECTION OF VICE-CHAIR (IF DESIRED)

RESOLVED that a Vice-Chair was not required on this occasion.

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

4 DECLARATIONS OF INTEREST

There were none.

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

6 MINUTES: 24 JUNE 2010 AND 9 JULY 2010

The minutes of the 24 June 2010 were approved as a correct record and signed by the Chair.

The minutes of 9 July 2010 were approved and signed by the Chair, subject to the following amendment:

on page 10 in the first bullet point at the bottom of the page, insert "*if purchased with alcohol*" before "*there would be a minimum charge*".

7 LICENSING PROCEDURE

The Chair drew attention to the Licensing Procedure, copies of which had been made available to those attending the meeting.

8 APPLICATION FOR A PREMISES LICENCE FOR GOURMET SCOFFS, 9 TERRACE WALK, BATH BA1 1LN

Applicant: Gourmet Scoffs Ltd, represented by Paul McEvoy

Responsible Authority: Avon and Somerset Police, represented by Martin Purchase (Police Liquor Licensing Bureau)

The parties confirmed that they had received and understood the licensing procedure.

The Licensing Officer presented the application. She explained that the applicant was seeking authorisation for the sale of alcohol between the hours of 10:00 and 20:00 Mondays to Sundays. A representation had been made by the Police in relation to the licensing objective of the prevention of crime. The representation stated that the Police considered that the applicant had not included any satisfactory measures to promote this objective in his operating schedule. Following discussions with the Police, the Applicant had agreed to accept the following three conditions they had proposed:

1. Alcohol will only be served by waiter or waitress service to persons seated at tables.
2. Alcohol will only be served with menu-based foods, which will be available at all times that licensable activity takes place.
3. All staff will be trained in the sale of alcohol by a personal licence holder or approved trainer.

Mr McEvoy said that he did not wish to make a statement.

Mr Purchase said that the Police considered the additional conditions to be necessary because the premises were situated in the cumulative impact area.

Following an adjournment, the Sub-Committee **RESOLVED** to grant the application, subject to the mandatory conditions, conditions consistent with the operating schedule and the three conditions agreed between the applicant and the Police and imposed by the Sub-Committee, namely:

1. Alcohol will only be served by waiter or waitress service to persons seated at tables.
2. Alcohol will only be served with menu-based foods, which will be available at all times that licensable activity takes place.
3. All staff will be trained in the sale of alcohol by a personal licence holder or approved trainer.

Authority was delegated to the Licensing Officer to issue the licence accordingly.

REASONS

Members have determined an application for a premises licence at Gourmet Scoffs. In doing so they have taken account of the Licensing Act, Human Rights Act, the Council's Policy and the Statutory Guidance.

Members are aware that the proper approach under the Licensing Act is only to do what is necessary and proportionate to promote the licensing objectives. Members heard that the applicant had agreed to a number of conditions suggested by the Police who made a relevant representation relating to the objective of the prevention of crime and disorder.

Members grant the application as applied for with conditions consistent with the operating schedule and with the conditions suggested by the police and agreed by the applicant. Members were satisfied that with the imposition of these conditions the premises will not have a significant detrimental effect on the cumulative impact area.

The meeting ended at 10.35 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services