

## LICENSING SUB-COMMITTEE

### MINUTES OF MEETING HELD ON TUESDAY 27 APRIL 2021

**Present:** Cllrs Derek Beer, Cathy Lugg and Kate Wheller

Also present: Mr Tim Munro (Agent for the Applicant), Mr Kris Barker (Applicant), Representative from Respect Weymouth

**Officers present (for all or part of the meeting):**

Elaine Tibble (Senior Democratic Services Officer), Philip Crowther (Legal Business Partner - Regulatory) and Aileen Powell (Team Leader Licensing)

**89. Election of Chairman and Statement for the Procedure of the Meeting**

Proposed by Cllr Beer, seconded by Cllr Lugg.

**Decision: that Cllr Kate Wheller be appointed Chairman for the duration of the meeting.**

**90. Declarations of Interest**

No declarations of disclosable pecuniary interests were made at the meeting.

For transparency Cllr Wheller advised that she knew the Applicant's Agent Mr Munro as they had both served as councillors, at the same time, for Weymouth and Portland Borough Council. They did not know each other socially so there was no impediment to her taking part in the hearing.

**91. Urgent items**

There were no urgent items.

**92. New Premises Licence Application for Tropical Turtle, Weymouth**

The Licensing Team Leader presented the application for a new premises licence.

The original application had been for both on and off alcohol sales, from 10.00 to 23.00 every day with opening times from 08.00 to midnight. Three representations had been received however after the Applicant withdrew off sales from the application, two of these representations were withdrawn as a direct result. The application was solely for on sales for a premises within the Cumulative Impact Area (CIA).

In the general information supplied with the application it was stated that the capacity for the premises was 50, however Mr Munro had contacted the licensing department the morning of the committee to request that this was removed from the conditions.

From 23.00hrs there would be no sale of alcohol on the premises and no "bring your own", the Agent's statement also advised that there would be no consumption of alcohol on the premises after 23.00 and the Licensing Team Leader asked the sub-committee to clarify this with Mr Munro.

The sub-committee, Agent, and Objector were invited to ask questions of the Licensing Team Leader.

The Agent was then invited to present the case for the Applicant.

Following the Agent's presentation, the sub-committee, were invited to ask questions which focused on the capacity inside the premises, provision for customers waiting for takeaways, provision for smokers, timings for alcohol sales, drinking up time, dispersal at closing time and the function of the bar area.

The Representative on behalf of Respect Weymouth was given the opportunity to ask questions of the Agent.

There were also questions directed to the Applicant from the sub-committee.

The Representative from Respect Weymouth made their representation. Although Respect Weymouth were supportive of the restaurant/takeaway side of the business they had concerns with the bar area becoming an open bar due to the previous issues that had arisen from the previous bar in these premises.

The sub-committee, the Agent and the Licensing Team Leader were invited to ask questions of the Respect Weymouth Representative.

Once all parties had been given the opportunity to ask completed asking questions of each other everyone was able to sum up their cases. All parties were happy and had nothing to add in summing up.

### 93. **Exempt Business**

Proposed by Cllr Beer, seconded by Cllr Lugg

**Decision: That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).**

The Committee retired to make their decision.

11.50 – 12.00 Comfort Break.

**Decision: To GRANT the Premises Licence to permit the following:**

**Supply of alcohol** (on the premises only)  
Every day 10:00 to 23:00

**Licence Conditions**

The Licence is granted subject to the mandatory conditions and the conditions consistent with the operating schedule in Appendix 5 of the report to the Licensing Sub-Committee with the following changes;

The occupancy shall be limited to 50 customers (ground floor bar, restaurant and mezzanine floor). The occupancy figure includes customers and performers but not employees.

Alcohol may only be supplied to customers who are, engaging, or have engaged, in a sit-down table meal, as an ancillary to that meal, or who have booked a sit-down table meal and are waiting for their table, or who have ordered a substantial take away meal.

A staff member shall monitor the behaviour of any customer who leaves the premises, including temporarily, to ensure that customers do not take alcohol out of the premises or smoke in the alleyway between Maiden Street and St Mary Street.

94. **Supplement**

**Duration of meeting:** 10.00 am - 12.52 pm

**Chairman**

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