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Please ask for Helen Rickman,
Democratic Support Officer **e-mail** helen.rickman@plymouth.gov.uk

LICENSING SUB COMMITTEE (MISCELLANEOUS)

DATE: TUESDAY 24 NOVEMBER 2009
TIME: 10.00 AM
PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC CENTRE)

Members –
Councillors Mrs Bowyer, Gordon and Rennie

Fourth Member –
Councillor Roberts

Members are invited to attend the above meeting to consider the items of business overleaf

Members and Officers are requested to sign the attendance list at the meeting.

BARRY KEEL
CHIEF EXECUTIVE

LICENSING SUB COMMITTEE (MISCELLANEOUS)

PART I (PUBLIC COMMITTEE)

AGENDA

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

The Committee will appoint a Chair and Vice-Chair for this particular meeting.

2. APOLOGIES

To receive apologies for non-attendance submitted by Committee Members.

3. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this Agenda.

4. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. MRS MARGARET WILLIAMS - TRANSFER OF PREMISES LICENCE - VARY LICENCE TO SPECIFY INDIVIDUAL AS PREMISES SUPERVISOR (Pages 1 - 18)

The Director for Community Services will submit a report on the transfer of a premises licence and to vary the licence to specify an individual as a premises supervisor.

6. GRANT OF PREMISES LICENCE - MARINE BAZAAR, SUTTON WHARF, BARBICAN, PLYMOUTH (Pages 19 - 44)

The Director for Community Services will submit a report on the grant of a premises licence.

7. EXEMPT BUSINESS

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE COMMITTEE)

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Sub-Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

Nil.

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CITY OF PLYMOUTH

Subject: Mrs Margaret WILLIAMS
1. Transfer of Premises Licence
2. Vary Licence to Specify Individual as Premises Supervisor

Committee: Licensing Sub Committee (Miscellaneous)

Date: 8 September 2009

Cabinet Member: Councillor Brookshaw

CMT Member: Director for Community Services

Author: Peter Clemens – Senior Licensing Officer

Contact: E-mail: licensing@plymouth.gov.uk
Telephone: 01752 305465

Ref: ERS/LIC/PREM

Part: I

Executive Summary:

An application has been received from Mrs Margaret Williams for the Transfer of a premises licence under Section 42 of the Licensing Act 2003 and to Vary the licence to Specify an Individual as Premises Supervisor under Section 37 of the Licensing Act 2003 in respect of Jumping Jacks, 111 New George Street, Plymouth.

Corporate Plan 2009- 2012:

This report links to the delivery of the corporate improvement priorities. In particular:

1. Informing and involving residents.
 2. Providing more and better culture and leisure activities.
-

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

Other Implications: eg. Section 17 - Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment etc.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

None.

Background papers:

Application.
Licensing Act 2003.
Guidance issued under Section 182 Licensing Act 2003.
Council's Licensing Policy.

Sign off:

Head of Fin		Head of Leg		Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating CMF Member											

1.0 BACKGROUND

- 1.1 On the 6th August 2009 the licensing department received an application from Mrs Margaret Williams for the Transfer of a Premises Licence under Section 42 of the Licensing Act 2003 and to Vary the Licence to Specify an Individual as Premises Supervisor under Section 37 of the Licensing Act 2003 in respect of Jumping Jacks, situated at 111 New George Street, Plymouth.
- 1.2 In accordance with Sections 38 and 43 of the Licensing Act 2003, both applications had immediate effect so that until the applications are determined or withdrawn the applicant is acting as premises licence holder and designated premises supervisor

2.0 Devon & Cornwall Constabulary

- 2.1 Have given notice that they are satisfied there are exceptional circumstances whereby the granting of the application would undermine the crime prevention objective. The police will say they have concerns about Mrs Williams's management of the premises and her previous management of other another premise in Plymouth.

3.0 CONSIDERATIONS

- 3.1 The Committee is obliged to determine this application with a view to promoting the crime prevention objective:
- 3.2 In making a decision the committee is obliged to have regard to:
 - i) Guidance issued under Section 182 of the Licensing Act 2003 paragraphs 4.25 – 4.27 and 8.92 – 8.95 are relevant to the variation of the designated premises supervisor and transfer of premises licence respectively.
 - ii) It's own Licensing Policy.
 - iii) Notice of objection from the Police and any representations from the applicant.
- 3.3 The Committee may make one of two determinations:
 1. Grant the applications or
 2. Reject the applications if having regard to the Police objection they consider it necessary for the promotion of the crime prevention objective.
- 3.4 If the committee decide to reject the applications they may only do so if they have been satisfied by the Police that the grant of the licence would be detrimental to the promotion of the crime prevention objective.

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By virtue of paragraph(s) 1, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 3, 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CITY OF PLYMOUTH

Subject: Marine Bazaar, Sutton Wharf, Barbican,
Plymouth
Grant of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 24 November 2009

Cabinet Member: Safer, Stronger Communities
Councillor Peter Brookshaw

CMT Member: Director of Community Services

Author: Peter Clemens
e-mail: licensing@plymouth.gov.uk

Contact: 01752 305465

Ref: ERS/LIC/PREM

Part: I

Executive Summary:

An application has been received from Thompson & Jackson Solicitors on behalf of Seafood and Pasta Limited in respect of the Marine Bazaar, Sutton Wharf, Barbican, Plymouth for the Grant of a premises licence under Section 17 of the Licensing Act 2003.

Corporate Plan 2009- 2012:

This report links to the delivery of the corporate improvement priorities. In particular:

1. Informing and involving residents.
 2. Providing more and better culture and leisure activities.
-

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable.

Other Implications: eg. Section 17 - Community Safety, Health and Safety etc.

Members should be aware that Section 17 of the Crime and Disorder Act 1998 puts a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

None.

Background papers:

Application.
Licensing Act 2003.
Guidance issued under Section 182 Licensing Act 2003.
Council's Licensing Policy.

Sign off:

Head of Fin		Head of Leg		Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating CMF Member											

1.0 BACKGROUND

1.1 On the 6th October 2009 the licensing department received an application from Thompson & Jackson Solicitors on behalf of Seafood and Pasta Limited for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003 in respect of the Marine Bazaar situated at Sutton Wharf, Barbican, Plymouth.

1.2 Grant application.

The premises will operate solely as a restaurant on the ground and first floor with bar facilities.

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

Late Night Refreshment (Indoors)

Mon to Sun 23.00hrs to Midnight

Supply of Alcohol for consumption both ON and OFF the premises

Mon to Sun 10.00hrs to Midnight

Hours Premises are Open to the Public

Mon to Sun 10.00hrs to 00.30hrs

1.4 Representations have been received in respect of this application.

1.5 When the application was received originally it requested the following licensable activities;

(E) Live Music (Indoors)

Mon to Sun 10.00hrs to 03.00hrs

(F) Recorded Music (Indoors)

Days and timings as above

(G) Performance of Dance (Indoors)

Days and timings as above

(H) Anything of a similar description to that falling within (E) (F) or (G) (Indoors)

Days and timings as above

(I) Provision of Facilities for Making Music (Indoors)

Days and timings as above

(J) Provision of Facilities for Dancing (Indoors)

Days and timings as above

(K) Provision of Facilities for entertainment of a similar description to that falling within (I) or (J) (Indoors)

Days and timings as above

(L) Late Night Refreshment (Indoors)

Mon to Sun

23.00hrs to 03.00hrs

(M) Supply of Alcohol for consumption both ON and OFF the premises

Mon to Sun

10.00hrs to 03.00hrs

(N) Hours Premises are Open to the Public

Mon to Sun

10.00hrs to 03.30hrs

- 1.6 On the 22nd October 2009 a letter was received from Thompson & Jackson Solicitors on behalf of the applicant amending the licence as detailed at 1.3 above. The letter also stated that the premises are to operate solely as a restaurant.

1.7 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the application were granted.

2.0 RESPONSIBLE AUTHORITIES

- 2.1 Devon & Cornwall Constabulary – have made representation in relation to the Prevention of Crime and Disorder, the Prevention of Public Nuisance (Appendix 1).
- 2.2 Environmental Health – have made representation in relation to the Prevention of Public Nuisance (Appendix 2).
- 2.3 *Devon & Somerset Fire & Rescue Service* – no representations.
- 2.4 *Trading Standards* – no representations
- 2.5 *Planning Officer* - no representations.
- 2.6 *Child Protection* – no representations
- 2.7 *Health & Safety Executive* – no representations.

3.0 INTERESTED PARTIES

7- letters of representation have been received from residents living within the vicinity of the premises.

4.0 CONSIDERATIONS

- 4.1 The Committee is obliged to determine this application with a view to promoting the licensing objectives, which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance;
- the protection of children from harm.

In making its decision the Committee is also obliged to have regard to the guidance issued under section 182 of the Licensing Act 2003 and the Council's own Licensing Policy and the representations (including supporting information) presented by all the parties.

The Committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

1. Grant the licence as asked.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.
4. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Building safer communities together



DEVON & CORNWALL
CONSTABULARY

Our ref:
2BCU/Lic/55161/dr

Your ref:

Mr P Clemens
Licensing Officer
Licensing Department
Plymouth City Council
Civic Centre
PLYMOUTH PL1 1AA

31st October 2009



Licensing Department
Charles Cross Police Station
Hampton Street
PLYMOUTH
PL4 8HG

Telephone: 01752 720469

Dear Mr Clemens,

Re: Application for Grant of a Premises Licence - Marine Bazaar, Sutton Wharf, Plymouth

On the 6th October 2009 the police licensing department received an application to grant a premises licence under the Licensing Act 2003 for the above premises.

Devon and Cornwall police would like to make representations regarding the application. Crime levels in the Barbican area remain stable and specifically in Sutton Wharf are very low. The addition of a new licensed premise on Sutton Wharf may lead to an increase in Crime and Disorder and Public Nuisance in that area.

The premise is situated within an area that is subject to Plymouth City Council's Cumulative Impact Policy and as such we would refer to the evidence produced by the police that supported the introduction of this policy.

On the 22nd October 2009 a further letter was received from the applicants solicitors removing all regulated entertainment and curtailing the terminal hour for the retail sale of alcohol and late night refreshment. The police welcome these changes to the application.

The application has an attached operating schedule that is made up of a list that indicates the initiatives and business practices that will be adopted in the conduct of the licensed premises. Whilst this list indicates the applicant's intention to support the four licensing objectives, the police believe that if transferred into conditions in their current form, some may be considered vague, ambiguous and un-measurable.



I enclose a letter that has been sent to the applicant's solicitors suggesting a list of conditions the police believe are clearer and easily measurable for the operators of the premises and responsible authorities.

The police would request that should the Licensing Committee grant the licence these conditions are attached.

If you have any questions please don't hesitate to contact me on 01752 720469

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Tim Brooks', written in a cursive style.

Tim Brooks
Alcohol Related Crime Reduction Officer

Our ref:
2BCU/Lic/55161/dr

Your ref:

Mr P C Durbin
Thompson and Jackson Solicitors
4 & 5 St. Lawrence Road
PLYMOUTH
PL1 3LD

Licensing Department
Charles Cross Police Station
Hampton Street
PLYMOUTH
PL4 8HG

31 November 2009

Telephone: 01752 720469

Dear Mr Durbin,

Re: Application for Grant of a Premises Licence - Marine Bazaar, Sutton Wharf, Plymouth

Thank you for your letter dated 20th October 2009 amending the above application.

Devon and Cornwall police would like to make representations regarding the application. Crime levels in the Barbican area remain stable and specifically in Sutton Wharf are very low. The addition of a new licensed premise on Sutton Wharf may lead to an increase in Crime and Disorder and Public Nuisance in that area.

The premise is situated within an area that is subject to Plymouth City Council's Cumulative Impact Policy and as such we would refer to the evidence produced by the police that supported the introduction of this policy.

The police welcome the removal of all regulated entertainment and a change in the terminal hour for the retail sale of alcohol from 0300 to midnight.

The application has an attached operating schedule that is made up of a list that indicates the initiatives and business practices that will be adopted in the conduct of the licensed premises. Whilst this list indicates your clients intention to support the four licensing objectives, the police believe that if transferred into conditions in their current form, some may be considered vague, ambiguous and un-measurable.

The police would like to request that the following conditions replace the ones suggested by the applicant should the Licensing Committee grant the licence.

In (a) GENERAL

Your 1. remove as covered by our 15.
Your 2.,3. and 4. remove as covered by our condition 3.
Your 5. and 6. to remain
Your 8. remove as covered by our condition 11.
Your 9. remove as covered by our condition 15.
Your 11.,12.,13.,14.,15. and 16. to remain.
Your 17. remove as covered by our condition 16.
Your 18., 19., 21. And 22. to remain.

In (b) THE PREVENTION OF CRIME AND DISORDER

Your 1. remove as covered by our 15.
Your 2. remove as covered by our condition 4 to 10.
Your 8., 9, and 11 to remain.

In (c) PUBLIC SAFETY

Your 1. remove as covered by other legislation.
Your 3., 4., 5., 6., 7., 8., 9., 10. and 11. to remain.

Your 12. as below to identify the limit of patrons allowed in the premises.

In the application under the heading 'Public Safety' item 12 states 'limit on number in premises'. Can you please clarify what number the management will limit the premises too and how they will monitor this so that a measurable condition can be agreed.

In (d) THE PREVENTION OF PUBLIC NUISANCE

All conditions suggested to remain.

In (e) PROTECTION OF CHILDREN FROM HARM

Your 4. and 7. to remain.
Your 8. remove as covered by our condition 14.
Your 9. remove as covered by our condition 15.

Suggested conditions by Devon & Cornwall Constabulary

1. No open bottles or other drinking vessels to be taken from the premises unless by waitress service to seated customers in a designated external seating area.
2. All staff and managers will be made aware of the conditions attached to the licence.
3. At all times the premises is trading a personal licence holder will be present and responsible for managing the premises.

4. CCTV to be installed to comply with the 'UK Police Requirements for Digital CCTV Systems'
5. CCTV cameras to be kept clean and maintained at all times.
6. CCTV images will be retained for a minimum of 31 days.
7. The CCTV system will have the capability of downloading the images to a recognised format.
8. A register will be kept detailing all requests by police for CCTV images. This will include time and date of request, time, date and location of incident, time and date of hand on to Police.
9. During trading hours, there will be members of staff present who are trained to view and download images from CCTV at request of the police.
10. The Police Licensing Department will be informed if the CCTV system is not working.
11. A daily incident logbook detailing all incidents of note at the premises or in the immediate vicinity e.g. slips, accidents, entry refusals and incidents of disorder etc. The log will detail the date, time, type of incident, brief circumstances, action taken and person dealing. The logbook will be made available for up to six months Police or any other responsible authority for inspection, if required. All relevant incidents will be reported to the police at the earliest opportunity.
12. No irresponsible drinks promotions or all inclusives.
13. Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
 - [UK photo driving licence]
 - [Passport]
 - [PASS accredited cards]
14. Notices publicising the Challenge 21 initiative shall be clearly displayed at the entrance to the premises and behind the bar area at all times.
15. All staff to receive documented training on induction and at least every six months in the prevention of under aged sales, drug awareness, assessment of customers alcohol consumption and consumption and the prevention of alcohol sales to drunks.

16. Details including name or description of all persons banned for misbehaviour within or in vicinity of premises to be kept in a register that is available to responsible authorities upon request.

17. Any glass drinking vessels will be made from toughened or safety glass.

The description of the premises in the application is given as 'Ground and first floor bar/restaurant'. The plans that have been submitted do not show any seating layout, although this is not required, the police would like to seek clarification as to the intended amount of seating and if any vertical drinking areas are planned within the premises.

If you have any questions please do not hesitate to contact me on 01752 720469

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Tim Brooks', written in a cursive style.

Tim Brooks
Alcohol Related Crime Reduction Officer

Memorandum

From: Head of Environmental Regulation Service
To: HEAD OF LICENSING SECTION
FAO: PETE CLEMENS
Date: 3 November 2009
Our Ref: EH.CTU
Investigating Officer: Claire Turbutt
Extn: 4568



LICENSING ACT 2003

ENVIRONMENTAL HEALTH REPRESENTATION

Premise: The Marine Bazaar, Sutton Wharf, Barbican, Plymouth,
PL4 0DW

Name of Licensee: Seafood and Pasta Limited

Type of Application: Late Night Refreshment/Alcohol
(On/Off/Both)/Entertainment Licence (delete as necessary)

Report Prepared By: Claire Turbutt

Recommendations

- ~~1. That this department has no comments regarding the Application.~~
2. This department would like to make the following representation;

ENVIRONMENTAL HEALTH REPRESENTATION

Name: The Marine Bazaar

Address: Sutton Wharf, Plymouth, PL4 0DW

Report By: Claire Turbutt
Inspection: N/A

Date of

The Text in bold are the conditions that this department will be putting before committee to be included in your operating schedule.

The text in italics is for your information.

Suitable signage will be displayed at the exit to request the co-operation of patrons, in particular to make as little noise as possible when leaving the premises.

Patrons will be asked not to stand around talking in the street outside the premises or any car park and asked to drive away as quickly and as quietly as possible. This is to include patrons who go outside to smoke.

The outside area will not be used after 8.00pm.

Management will maintain control of the outside area and will take full responsibility for the noise caused by their patrons whilst outside the premises, whether this be for the purposes of smoking or any other activity.

If chairs and tables are to be provided outside the premises any alcohol served to them is to be as part of a meal only.

The deliveries of goods are restricted to after 8.00am and before 8.00pm.
(To limit the likelihood of noise nuisance)

The movement of bins and rubbish outside the premises will not take place after 11.00pm.
(This will help to reduce the levels of noise produced by the premises)

All the rubbish produced by the premises will be stored securely in a designated area or in a bin with a tight fitting/lockable lid.
(This will help prevent litter being blown around)

All commercial waste collection will be arranged for after 8.00am
(To limit the likelihood of noise nuisance)

Where plant and machinery such as ventilation systems or air conditioning is installed it will be positioned in such a way that the building structure provides as much screening as possible for nearby

noise-sensitive properties. Additionally, any new system to be installed will be approved by the Public Protection Services prior to installation and control measures such as acoustic enclosures, acoustic louvers, silencers or additional acoustic screening will be considered.

Patrons will not take drinks outside after 8.00pm whilst smoking outside the premises.

Regular maintenance will be carried out on all plant and machinery to ensure that noise disturbance from such sources does not cause a nuisance.

All staff receive suitable training as to what to do in an emergency and in general safety precautions.

Ventilation equipment will be regularly cleaned and maintained to control levels of odour generated by the premises.

A specific taxi operator has been nominated for staff and customers use. The company's telephone number is advertised to customers. The operator and all drivers are aware that they should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily. In addition, staff are required to leave as quietly as possible, particularly at night and early in the morning.

(This will help prevent disturbance to local residence from comings and goings from your premises)

The handling of beer kegs, bottles and other similar items will not take place in the late evening, at night and during the early morning outside buildings.

(To limit the likelihood of noise nuisance)

**Supporting Information for Committee Hearing following the
Environmental Regulation Service Representation**

Premise Name: The Marine Bazaar, Sutton Wharf, Plymouth

This department has made representation based on the following information.

This food business is very close to the Barbican and located in a Cumulative Impact Area. The original application submitted was for a nightclub style premises open until 3am, this has now been reduced to a restaurant only. Due to their proximity to a block of residential flats and the history of complaints about other restaurants in the area, it is necessary to apply stringent licensing conditions to ensure public safety is protected and public nuisance is not caused to local residents.

Vauxhall Street Flats,
Vauxhall Street,
Plymouth,
Devon.
PL4

16 October 2009

OBJECTION TO PREMISES LICENCE

Dear Sir,

I write to you in response to an application made by Sea Food and Pasta Ltd of 10 Quay Road, The Barbican, Plymouth, PL1 2JZ for a licence to run a night club between the hours of 1000 until 0300. At the Marine Bazaar building.

I must object to this licence in the strongest way possible, as the noise from this activity will cause a serious amount of disturbance to me and a large amount of people in the vicinity, not only from the music in the night club itself, but from the patrons entering and leaving the premises at all hours, probably in a state of rowdy drunkenness.

Not only this but the extra traffic in the way of taxis and the irresponsible way these sometimes operate will cause untold disturbance until way past closing time.

There is also the question of crime associated with this kind of establishment, which may include drug taking, drunken vandalism to cars, and property, and drunken assaults on local residents.

The premises of this proposed club are in a built up residential area that is totally unsuited to this activity.

Although there are a number of restaurants in the vicinity, they cause little disturbance and the extra traffic they cause, the road infrastructure can cope with at present.

I do feel very strongly that this licence should not be granted not only for the above reasons but also because there is enough of this kind of establishment in the area already.

Please inform me of the hearing date as I would like to attend.

Yours Faithfully

APPENDIX 3

Vauxhall Street Flat,
Vauxhall Street,
Plymouth,
Devon,
PL4

27 October 2009

Dear Marie Price,

Thank you for your letter dated 23 October 2009 concerning the licence application for a Premises Licence for Marine Bazaar, Sutton Wharf. It was with some relief that I read that the applicant has amended his application and applied solely for a restaurant licence instead.

However the applicant has asked to close at 0030 hrs. which will still cause a lot of disturbance to me and other house holds in the area, many with young children. There are also a number of people living so close to the proposed restaurant that there bed rooms are within feet of the building.

I have spoken to some of the Restaurant owners in the area and they have told me that there licences say they must close at 2300 hrs. This seems to me to be a reasonable time to close and I don't see any reason why a new restaurant should expect this time to be extended.

If the closing time of 0030 hrs is to be considered all of my objections stand, and I would like to be informed of the hearing date so I may object in person.

Yours Sincerely

RECEIVED
PUBLIC PROTECTION SERVICE
27 OCT 2009
F.A.O. _____

**Dolphin House
Sutton Wharf
Plymouth
PL4**

Head of Environmental Services
Environmental Regulation Services
Plymouth City Council
Civic Centre
Plymouth
PL1 2EW

21 October 2009

Dear Sirs,

Re: Licensing application for the Marine Bazaar, Sutton Wharf, PL4 0DW

We wish to object to the licensing application by Seafood and Pasta Limited applying to operate from 10am to 3am for The Marine Bazaar, Sutton Wharf, PL4 0DW.

This area of Sutton Harbour is mainly residential and several children live in Vauxhall Street Flats which adjoins Marine Bazaar. To have an establishment under our bedroom window that is allowed to stay open until 3am will lead to noise and disturbance caused by people arriving and leaving the premises and going outside to smoke. We understand that the application is for alcohol to be drunk inside and outside of the premises, which will lead to further noise and disturbance.

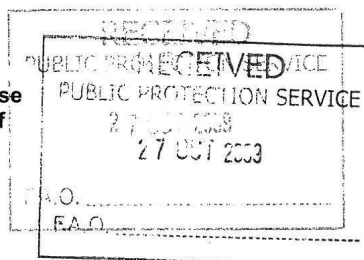
The original planning (08/01168/Ful) was refused, one of the reasons being insufficient information re opening hours. A second planning application (07/01757/Ful) was approved with opening hours of 10 to 23.30 Monday – Saturday and 10 to 22.30 Sundays and Bank or Public Holidays. The reason given was “To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006 – 2021) 2007.”

We don't believe that anything has changed and that the opening hours should remain as approved in planning permission 07/01757/Ful. There are plenty of other establishments in the Barbican area such as View 2, Lavish and Annabel's that already open late and we believe there is no need for another late night establishment.

Yours faithfully

APPENDIX 4

Dolphin House
Sutton Wharf
Plymouth
PL4



Head of Environmental Services
Environmental Regulation Services
Plymouth City Council
Civic Centre
Plymouth
PL1 2EW

25 October 2009

Dear Sirs,

Re: Licensing application for the Marine Bazaar, Sutton Wharf, PL4 0DW

Further to our earlier letter dated 21 October (copy attached for ease of reference) we note that an amended licensing application has been posted applying to operate from 10am to 12 midnight.

We also wish to object to this application because people will leave the premises later than 12 midnight – they will want to finish drinks, say their goodbyes and be waiting for taxis – so this is likely to stretch to 12.45am, particularly if customers can take drinks outside.

This area of Sutton Harbour is mainly residential and several children live in Vauxhall Street Flats which adjoins Marine Bazaar. To have an establishment under our bedroom window that is allowed to stay open until 12 midnight plus will lead to noise and disturbance caused by people arriving and leaving the premises and going outside to smoke. We understand that the application is for alcohol to be drunk inside and outside of the premises, which will lead to further noise and disturbance.

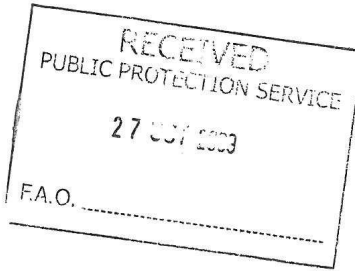
The original planning (08/01168/Ful) was refused, one of the reasons being insufficient information re opening hours. A second planning application (07/01757/Ful) was approved with opening hours of 10 to 23.30 Monday – Saturday and 10 to 22.30 Sundays and Bank or Public Holidays. The reason given was "To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006 – 2021) 2007."

We don't believe that anything has changed and that the opening hours should remain as approved in planning permission 07/01757/Ful. We have concerns that this is the thin edge of the wedge and in time further licensing applications will be made to extend the opening hours to even later.

Yours faithfully

Discovery Wharf
15 North Quay
Plymouth
PLA

26th October 2009



Reference Application: 019311

Applicant(s) Full name SEAFOOD & PASTA LTD

Designated Premises Supervisor Premises supervisor name Mr John Hiromeris

Permitted Activities:
- provision of late night refreshment
- the sale by retail of alcohol

Premises Open Hours requested

	Time From	Time To
Monday to Sunday	10:00am	12:30am

Activities - Times requested

	Time From	Time To
L. Late night refreshment (Indoors) Monday to Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises Monday to Sunday	10:00am	Midnight

Dear Sir,

We are writing with concern over the above late night license application for Seafood & Pasta, in general we do not have a complaint about Seafood & Pasta moving into the premises of the Old Marine Bazaar site on Sutton Wharf but we do object the late night opening hours. Sutton Harbour is a mixture of restaurants & residential occupants & both need to respect the other.

The present opening hours under license for Sutton Harbour restaurants is shown below & we believe this is reasonable for this location, can I ask that Seafood & Pasta come into line & comply with the same times, Any later closing time than this would cause unacceptable late night noise & disruption to residential occupants based in the Sutton Harbour area.

Monday to Saturday 10:00am 11:00pm Sunday Noon 10:30pm Non Standard Timings: Good Friday: 12:00 hrs to 22:30 hrs
Christmas Day: 12:00 hrs to 15:00 hrs 19:00 hrs to 22:30 hrs
New Years Eve, except on a Sunday: 10:00 hrs to 23:00 hrs
New Years Eve on a Sunday: 12:00 hrs to 22:30 hrs
New Years Eve: from the end of permitted hours on New Years Eve to start of permitted hours on the following day.

Regards

APPENDIX 6

28 Oct 2009

To: Licensing Department, Plymouth City Council

From: [redacted], Flat [redacted] Discovery Wharf, 15 North Quay, Plymouth PL4 [redacted]

Re: Licensing application 019311 Marine Bazaar, Sutton Wharf, PL4 0DW

I would like to make representations concerning the above application. I am aware that the application has recently been modified from one seeking a 3am music and entertainment licence but I still have some concerns.

Public nuisance:

This is a largely residential area. The premises are immediately adjacent to two blocks of flats and within sight and sound of several other blocks. I believe it is inappropriate to site a bar or restaurant here in addition to those already in the area. It will add unacceptably to the late night noise and nuisance already generated, primarily by customers leaving the premises or congregating outside to smoke.

Noise and nuisance could significantly increase if permission was given to sell alcohol for consumption off the premises (as requested in the application); or if outside tables were planned. I believe disruption will be caused by inadequate parking facilities. There is no public parking nearby - only resident permit holders' parking, which is often abused by customers parking for other restaurants. Likewise, the one-way system in North Quay and the 'access only' restriction in Sutton Wharf are already widely ignored by traffic.

Protection of children:

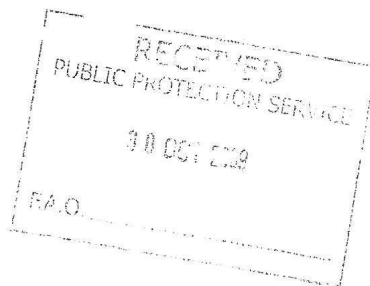
Several families with young children live within yards of the premises. Any late night noise or disturbance could adversely affect the children's welfare

Crime and disorder:

Yet another outlet serving alcohol in this area is unwelcome, particularly in such a densely populated residential area. The streets nearby are designated as alcohol free zones and Sutton Wharf has been earmarked as the route for a 'heritage trail' to encourage people to enjoy the harbour and its historic links. I believe the cumulative effect of granting a premises licence will make it difficult for police to devote enough resources to prevent crime, disorder and public nuisance in this area, in addition to policing the Barbican bar and club area nearby.

Could you please ensure that these concerns are made known to the relevant council committee when the application is considered.

With thanks,



Dolphin House
Sutton Wharf
Plymouth PL4

25 October 2009

Head of Environmental Services
Environmental Regulation Service
Plymouth City Council
City Centre
Plymouth PL1 2EW

Dear Sir/Madam

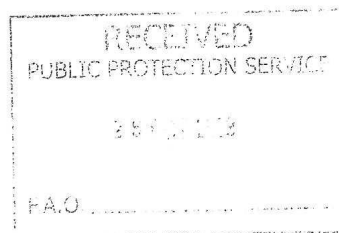
Application for Grant of Licence in respect of Marine Bazaar, Sutton Wharf, Plymouth PL4 ODW

The above application dated 2/10/09 seeks approval to introduce live and recorded music, performance of dance – and anything of similar description during the hours of 10.00 until 3.00 (as in the original published notice) – or 10.00 to midnight as on the notice outside the Marine Bazaar.

Obviously the earlier closing time is better, however, the area surrounding these premises is residential and the noise level would cause a disturbance and ruin the existing pleasant environment – a factor which I trust would be of some concern to a caring council.

I am over eighty and had a heart valve replacement some years ago. The situation will not improve my condition which reacts under stress. I realise that my health problems are not the responsibility of the Council, but the environment is, and I hope that consideration in retaining an attractive environment for both residents and visitors will be considered and so plead that the application of 2 October 2009 by Seafood and Pasta Ltd under the Licensing Act 2003 will be rejected.

Yours faithfully



DOLPHIN HOUSE
SUTTON HARBOUR
PLYMOUTH
PL4

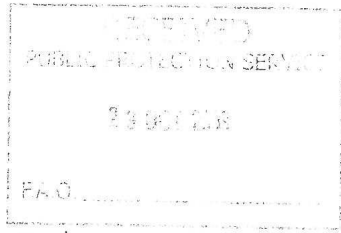
20-10-09

Dear Sir,

Further to my e-mail please find enclosed my written objection to 3AM licensing for the property known as Marie Bazaar.

The premises are within feet of residential properties and therefore will cause public nuisance, disorder and possibly cause trouble. They also will create harm to children living in VERY close proximity.

Yours sincerely



DOLPHIN HOUSE
SUTTON HARBOUR
PLYMOUTH
PL4
26-10-09

Dear Sir/Madam

Regarding your letter REF. MP/HB/OCT240
I would still not agree to a license
for the said premises to 1230. I see
no reason for a restaurant to be open that
late.. Also people will use the extended
opening times to go from an 11pm public
house for late drinks and not for a
meal.

Yours sincerely

,Dolphin House.
Sutton Wharf.
Plymouth.
PL4
29th October 2009.

Dear Sir or Madam,

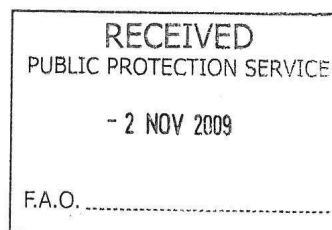
Ref: Former Marine Bazaar, Sutton Wharf. Plymouth. PL4 0DW

I wish to object to the application of an alcohol licence, with extended opening hours from 10:00 to 12:00 midnight. On the original planning application they applied to open until 23:30 this is acceptable. However, if they are granted this extension they will be open until 00:30 this is not acceptable.

The location of the premises and the character of the surrounding area and the close proximity of residential flats do not lend themselves to late night drinking. I object on the grounds that this would cause a public nuisance, and increase the crime and disorder that the residence of this area already have to deal with.

Any extended opening time beyond their planning application is simply not acceptable.

Yours sincerely



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