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LICENSING SUB COMMITTEE (MISCELLANEOUS)

DATE: TUESDAY 20 APRIL 2010
TIME: 10.00 AM
PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC CENTRE)

Members –
Councillors Mrs Bowyer, Michael Foster and Lock

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. REVIEW OF PREMISES LICENCE - CLIPPER INN, 65 UNION STREET, PLYMOUTH (Pages 1 - 36)

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

6. 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) 1 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.

7. GRANT OF PERSONAL LICENCE - NJB (E1) (Pages 37 - 40)

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

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CITY OF PLYMOUTH

Subject: Clipper Inn, 65 Union Street. Plymouth
Review of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 20 April 2010

Cabinet Member: Councillor Peter Brookshaw

CMT Member: Director for 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 Devon and Cornwall Police under Section 51 of the Licensing Act 2003 for the Review of the premises licence in respect of the Clipper Inn, 65 Union Street, Plymouth.

Corporate Plan 2010 - 2013:

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

1. Improving community involvement and engagement.
 2. Widening cultural and leisure opportunities.
-

**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 8th March 2010 the licensing department received an application from Devon and Cornwall Police under Section 51 of the Licensing Act 2003 for the Review of the Premises Licence in respect of the Clipper Inn situated at 65 Union Street, Plymouth.

1.2 **Review application.**

Devon and Cornwall Police have made application for the review of the premises licence for the purpose of promoting the licensing objectives in relation to the Prevention of Crime and Disorder. Copies of this application have been served by Devon and Cornwall Police on each of the responsible authorities and holder of the premises licence.

The police will say the grounds for the review are made following poor management of the premises resulting in an increase in violent crimes and incidents tied and linked to the premises, drunkenness, breaches of the premises licence, lack of supervision and control of the outside smoking area, the inability to contact the designated premises supervisor (DPS) and the problems encountered to obtain CCTV footage.

In accordance with review proceedings at 14.49hrs on Tuesday 9th March 2010 a licensing officer from Plymouth City Council attended the premises which at that time were closed. The officer attached a site notice to lamp post number 16 near to the premises by way of cable ties and posted a further notice through the letter box of the premises.

At 15.01hrs the same day a similar notice was displayed on the public notice board at the Civic Centre, Armada Way, Plymouth.

At 09.52hrs on Wednesday 10th March 2010 a licensing officer contacted the premises licence holder by phone and requested the site notice posted through the door be displayed at the premises.

1.3 **Licensable Activities.**

These premises have the following licensable activities and timings.

Performance of Live Music (Indoors)

Mon to Sun 10.00hrs to 06.00hrs

Non Standard Timings

From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day

Playing of Recorded Music (Indoors and Outdoors)

Mon to Sun 24 Hours

Provision of Facilities for Dancing (Indoors)

Mon to Sun 24 Hours

Late Night Refreshment (Indoors and Outdoors)

Mon to Sun 23.00hrs to 05.00hrs

The Sale by Retail of Alcohol for Consumption ON and OFF the premises

Mon to Sun 24 Hours

The Opening Hours of the Premises

Mon to Sun 24 Hours

2.0 RESPONSIBLE AUTHORITIES

2.1 *Environmental Health* – no representations

2.2 *Devon & Somerset Fire & Rescue Service* – no representations.

2.3 *Trading Standards* – no representations

2.4 *Planning Officer* - no representations.

2.5 *Child Protection* – no representations

2.6 *Health & Safety Executive* – no representations.

3.0 INTERESTED PARTIES

73 - letters of representation were received in support of the premises but 43 have been rejected as they were either from persons not living in the vicinity of the premises or insufficient personal details given. The relevant letters are (Appendices 1 – 30).

We also received 328 pro-forma letters as (Appendix 31) of which 41 were from persons living in the vicinity of the premises.

4.0 CONSIDERATIONS

4.1 In making its decision the Committee is also obliged to have regard to the application and any relevant representations, take any such steps if any as it considers necessary for the promotion of the licensing objectives, which are:

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

4.2 The steps are :

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;

(e) to revoke the licence;
and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

Where the committee takes a step in 4.2 (a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

I VISIT THE CLIPPER INN SEVERAL TIMES A MONTH
WITH MY PARTNER AND FRIENDS USUALLY STAYING
LATE. I FEEL SAFE. THE DINER IS CLEAN AND STAFF
ARE FRIENDLY & PROFESSIONAL.

I AM ALSO THE MANAGER OF

BATH PLACE WELL. I KNOW TAM AND STAFF WORK
HARD TO KEEP REAR ACCESS CLEAN AND TIDY, AS
WE DO IN LANE AND I KNOW I HAVE HIS SUPPORT
WHEN ANY ISSUES ARISE IN BATH PLACE OR
BATH PLACE WEST

IF I CAN HELP ANYMORE PLEASE CONTACT
ME

my self and family live
on occasion I some times hear a little noise
when delivers are early or when rubbish is
being collected. Tam and staff allways
work to make sure Place is clean
and tidy I no if any Problems with the
Clipper I can speak to Tam when I
do use the Pub its clean staff are
Friendly and I feel Safe I am
in number 5 with my Partner and
Son and my mother in law is
in flat 4 we all agree with what
I have written

Kings Street
PL7

I live
close to the clipper
and I have no problem
with any noise or complaints
from any of my neighbours.
The clipper is a well run
pub and should be treated
like its run.

4/4/10

APPENDIX 4

04/04/10

To whom it may concern

I am writing in regards to the clipper pub on union street. I live very close by and have never had a problem with noise or behaviour.

Flat 1, martin st
PL1

APPENDIX 5

24/3/10

Prynce Clo
Harwell St
Plymouth
PL1

TO WHOM IT MAY CONCERN

UNFORTUNATELY, YES I HAVE
FREQUENTED THE CLIPPER IN THE
EARLY HOURS, AND, I HAVE DONE
SO FOR THE PAST 7 YEARS, BUT
IN ALL THE TIME I'VE DRANK DOWN
THERE I'VE ONLY SEEN A FEW
INCIDENTS WHERE PEOPLE GOT VIOLENT
AND THE STAFF GOT IT UNDER CONTROL
BEFORE I COULD GET INVOLVED, IN FACT
I HAVE NEVER HAD TO RAISE MY HAND
TO ANYONE IN THE CLIPPER OR SEEN
PEOPLE DRINKING IN THERE "KICK OFF",
WHICH AS A "WANNABE DOOR MAN" ISN'T
THAT GREAT, SO I'VE MOVED UP TO
REFLEX.

YOURS SINCERELY

octagon St
Plymouth
P11

To whom it may concern,

I live in the
in Stonehouse, I have been here
2 years now and working

I have never seen any trouble or heard
of any trouble while living here. I also have
drunk in the clipper on many occasions and
have never seen any trouble when I have
been in there.

I think that the clipper is a friendly
and reliable place to ~~enjoy~~ drink and meet
new friends.

from

EDGCUMBE HOUSE

UNION STREET

PLYMOUTH

PL1

26.3.10

I live really close to the
Clipper but I don't seem to
really hear them There is
rarely any trouble and the
noise isn't that bad it's alot
quieter then most pubs on
union Street.

Devonshire House
Stonehouse

To Whom it may concern,

I have been
going to the Clipper for many of years
the Staff are all friendly and there is
no trouble there since the 24hr licence
it gives people somewhere to go as it
keeps people off the streets.

Thanks

25.3.10.

125 Wick St
Stonehouse
Plymouth
PL1

Dear Sir / Maadama

I have been coming to
this establishment for some
time now and I really enjoy
the time I spend here and
the staff are very friendly.
I feel safe and secure.

29-3-10

Stoke RD
Plymouth
PL1

To Whom it may concern

I find the
Clipper INN Union Street to be
a well run and safe establishment
with polite friendly staff and with
a 24 hour licence a nice place
to go when a lot of other licensed premises
are closed.

Feb:-

Kings St
Storehouse
Plymouth
PL1-

To whom it may concern,

I go into the clipper all time
and there has never been any
trouble since I have been
there.

yours faithfully

15-

APPENDIX 12

Stoke Rd
Stonehouse
Plymouth
PL1
24/03/10

To whom this may concern,

My name is Mrs

and I have lived in Stonehouse for the last 10 years.

Since the Clipper has had a 24 hour licence I have have noticed a decrease in noise and vandalism to parked traffic on my road. I socialise in the Clipper and find it to be a very friendly and professional place.

There is also considerably less noise from the Clipper than from the nightclubs on the Street.

Bearing in mind that most other establishments close at 4am, I feel that the Clipper is a help as there is somewhere else to go and not having everyone drunk and disorderly in the Street. I strongly believe the Clipper should be left exactly as it is.

Devonshire House
Union St
Stonehouse
Plymouth

To whom it may concern,
I have weed across the
road from the clipper for near on
2 years now and if anything the
trouble has decreased since Maxine
lost its licence because that is where
most of the trouble come from. I
have never known of any violence
to take place either inside or
outside of the clipper on the
occasions that I have drank there.
For the clipper to lose its licence I
would believe to be a huge mistake
because then the drinks will be
back on the streets being noisy.
26/03/2010

PL1 Octagon St.

I am a regular at the
clipper inn, union street
and would just like to
say that I can enjoy a
drink in an amicable,
chilled, and safe environment
I have honestly, never
experienced away home.

APPENDIX 15

Union Street
Plymouth · 23th 03 10

I visit the clipper Inn, I've never had or
seen any problems in here, I'm glad they are
open early hours of the morning as I am
a shift worker, the staff in the venue
have always made me feel welcome.

APPENDIX 16

Union St
Stonnet House
PL1

To Whom it may concern

I Live Near

the Clipper Inn on Union Street and I have
Never had any problems with crime or noise
from the people who visit the Pub.

PRUNE CLOSE, Plymouth, PL1

7 months pregnant and very happy
customer of The Clipper. Friendly
staff, and attract a nice crowd!
13 March 2010

PRUNE CL PL15

MY LOCAL PUB VERY GOOD FRIENDLY CROWD
WITHOUT THE IDIOT DRUNKS OTHER PUBS SEEM
TO ATTRACT.

Octagon St
Plymouth
PL1

To Whom It may Concern

I have been
in the Clipper on many occasions
the bar staff are very friendly
and welcoming. there has not been
any trouble since the 24h licence
this gives people somewhere to
go after everywhere else is shut
and as a result people are kept
off the streets where trouble and
disruption may be caused. I
strongly think that loss of the
24h licence will cause many a
problem on the streets.

union street
plymouth.

24/3/10

I use the clipper regular and
have always found it very
friendly, the staff are always very
welcoming and friendly.

APPENDIX 20

neswick st
stonehouse
plymouth
PL11

Dear who ever may concern

I never
had a problem with the clipper
never hear trouble from there

Thanks

APPENDIX 21

MR

King St
Stonehouse

Plymouth

PL1

31.03.10

To Whom ever it may Concern

I am an old age pensioner and I have lived at this address for many years. I do not find any problems with the Clipper inn on Union Street. I live very close and do not hear any noise from the pub. There used to be a lot more noise when all the clubs used to finish at the same time. I would hear a lot of shouting as people made their way home.

APPENDIX 22

FLORA COURT
STONEHOUSE

Dear Sir / madam

I live in stonehouse and I have
never had any problems with noise or anyone
after the club has closed.

Thankyou

Edgcombe house
Union St
Stonehouse
Plymouth
PL1 -

Dear Sir/Madam

I live near the
clipper and I have never had
any trouble or noise, I've lived
at my address for 6 years
and never had a problem

Thank you

31.03.10

APPENDIX 24

To Whom it may Concern

I live in Stonehouse and I do not have
any interruptions from violence shouting or any
noise from music.

Yours Sincerely

I live at Stone Road Flats PL1

To Whom it may Concern

I live in Stonehouse and I do not have
any interruptions from violence shouting or any
noise from music.

Yours Sincerely

I live at Stone Road Flats PL1

Flat , Clarence Place
Stonehouse
PLYMOUTH
PL1

Dear Sir/Madam

I live down
the road from the Chipper and
it is a friendly inviting pub
I frequently visit after work
and enjoy my visits there.

31/4/10

Clarence Coste
Stone House
Plymouth
Devon PL1

To whom it may concern,

I am a resident living close by to the "clipper public House". I am a regular - Customer in this pub, and have always enjoyed myself on the nights I have spent drinking in the "clipper". It is a very friendly and safe Pub to be in.

yours Sincerely

ADELAIDE ST.
STONEHOUSE.
PLI

Dear Sir or Madam,

I visit the clipper on a
regular basis as i live close and feel
very safe in there, the staff are polite
and make single girls very welcome.
yours Sincerely.

APPENDIX 29

John
union St.
Plymouth
Devon

The After Object =

Would like to say I don't
no problem with Chipper
public house,

no noise - no hassle.
I often pop a drink in the
Establishment.

Environment. I feel it's a safe

Sign

Mr. MacPherson

APPENDIX 30

Over the last few years I have noticed a great improvement in the noise levels and general activity from the Elsyde Public House. I have been particularly pleased in Mr MacPherson's attitude towards communicating with neighbours in reducing noise and am happy he is taking the necessary measures to ensure noise is kept to a minimum. I have spoken to Mr MacPherson recently as I was concerned the noise created when moving barrels of beer was having an impact on the adjacent block of flats and am pleased to say that this problem has been addressed.

FLAT

: 051015T 11-1-11

APPENDIX 31

April 2010

To whom it may concern,

I wish the following statement to be considered as a personal representation in the matter of the licence review of the Clipper Inn.

The Clipper Inn provides a professional service for those who wish to socialise, enjoy hospitality and relax at any point in a 24 hour period, at times when many other licenced premises in the city are closed.

The Clipper Inn staff as individuals or as a team maintain the premises to the highest standard, and at no time would I consider that they are not professional in there tasks and duties.

The Clipper Inn with having the option to provide a 24 hour facility allows for visitors, shift workers, hospitality and business sector personnel, as a group or individuals to enjoy hospitality and the option of extended socialising which otherwise is presently very limited in the city of Plymouth.

The Clipper Inn in my experience when enjoying hospitality at the premises provides a safe and secure environment to socialise and relax.

If I can be of further assistance please do not hesitate to contact me.

Yours sincerely

Individuals wishing to make further representation can do so in writing to:

Head of Environmental Services
Ref: Clipper Inn
Department of Community Services
Plymouth City Council
Civic Centre
Plymouth
PL1 2AA

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