

Licensing Sub Committee (Miscellaneous)

Tuesday 26 January 2010

PRESENT:

Councillor Mrs Bowyer, in the Chair.
Councillor Lock, Vice Chair.
Councillors Delbridge and Rennie.

The meeting started at 10.00 am and finished at 11.35 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

34. APPOINTMENT OF CHAIR AND VICE-CHAIR

Resolved that Councillor Mrs Bowyer be appointed as Chair and Councillor Lock be appointed as Vice Chair for this meeting.

35. DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the code of conduct.

36. CHAIR'S URGENT BUSINESS

There were no items of Chair's Urgent Business.

37. MR TOM MACPHERSON, THE WEE CLIPPER, 29 SOUTHSIDE STREET, PLYMOUTH - TEMPORARY EVENT NOTICES

The committee having –

- (i) heard from the applicant that –
 - (a) most of his clientele were mature and the décor and ambience of the premises was not that of a nightclub ;
 - (b) his aim behind his application was to explore the business potential of the premises as current trading had shown that whilst locals tended to leave the area at around 1am he still had visitors to the city wishing to stay longer than that;
 - (c) he had no intention of having any drinks promotion;
 - (d) he had an open door policy and had been to residents meetings and that he intended to continue going to those;
 - (e) he was intending to open for 24 hours a day for the 96 hours but that his hours would be customer driven and that if he did close during that period customers would be given the customary 30 minutes drinking up time;
 - (f) he used polycarbonate drinking vessels;
 - (g) if there was any hassle with people smoking outside residents would be able to contact him;

- (h) the live music element was to be string instruments and after 2am would be acoustic;
- (ii) heard from the Police and considered their written representation that:
- (a) they had withdrawn their objection to the TEN for the 29 January 2010 to 1 February 2010 and 5 February 2010 to 8 February 2010 due to amendments made to the applications by the applicant;
- (b) the applicant had not made amendments to the TEN applications for the 12 February 2010 to 15 February 2010 and therefore there were concerns that the application may undermine the crime prevention objective;
- (c) they had written to the applicant to request further information but this has not been forthcoming;
- (d) that the application would undermine the crime prevention objective as it authorised the retail sale of alcohol and the performance of regulated entertainment 24 hours a day between the dates specified as detailed in (e) below;
- (e) research showed that when a premises opens later into the small hours that Crime and Disorder could increase and this was irrespective of whether the premises was situated in either a city centre or suburban area. Evidence in support was provided as follows:
- a premise on the Barbican had extended its opening by 2 hours in October 2009. In the 9 months prior to the change 7 crimes were recorded against the premises (4 of which were violent) but in the 3 months after the change this had increased to 12, 8 of which were violent;
 - two premises in North Hill had seen an increase from 15 crimes to 29 crimes within a 12 month period following an increase in hours;
 - a premises located in the suburbs had extended its hours and crimes at the premises had increased from 2 to 17 in an 18 month period;
- The above was considered relevant to the crime prevention objective however they considered that due to the location and variety of size of the premises involved it was not an appropriate comparison to make with this premises and in light of the fact that this application was for a 96 hour period.
- (f) local police involved in working and liaising in the area expressed concerns that the granting of the TEN would impact on the local policing (PACT) priorities and in particular;
- parking on pavements in Southside Street as there was no parking at the front of the premises. There was already a problem with taxis parking on the pavements which may lead to arguments and disorder between residents and taxi drivers as well as outbreaks of violence between drunken taxi customers. This was considered relevant to the crime prevention objective however the police had confirmed that there had been no previous problems with this premises and therefore members

did not consider that this would be a problem;

- there would be customers congregating on the pavement as there was no designated smoking area at the rear of the premises and there was a concern this would lead to complaints from residents disturbed during the night .This was not considered to be relevant to the crime prevention objective;
- from their experience most alcohol related crime and disorder relating to nightclubs occurs outside when people congregate to smoke or queue for taxis and food. This was considered relevant to the crime prevention objective but there was no evidence to support this;

(iii) considered the report from the Director for Community Services;

(iv) considered all of the above, resolved not to uphold the police notice of objection and therefore no counter notice would be served in respect of this application.

38. **EXEMPT BUSINESS**

There were no items of exempt business.