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Date 13 July 2012

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LICENSING SUB COMMITTEE

Date: Tuesday 24 July 2012

Time: 10 am

Venue: Council House, Plymouth (next to the Civic Centre)

Members:

Councillors Mrs Dolan, Rennie and Singh.

Fourth Member:

Councillor John Smith

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.

Bob Coomber

Interim Chief Executive

LICENSING SUB COMMITTEE

PART I – PUBLIC MEETING

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. VARIATION OF PREMISES LICENCE - CO-OPERATIVE FOOD, 122 ALEXANDRA ROAD, PLYMOUTH **(Pages 1 - 8)**

The Director for Place will submit a report on the variation of 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) of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II - PRIVATE MEETING

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Panel 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.

PLYMOUTH CITY COUNCIL

Subject: Co-operative Food, 122 Alexandra Road, Plymouth,
PL4 7EQ
Variation of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 24 July 2012

Cabinet Member: Councillor Brian Vincent

CMT Member: Director of Place

Author: Linda Perez

Contact: Tel: 01752 307983
e-mail: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM

Key Decision: No

Part: I

Executive Summary:

An application has been received from Co-operative Group Food Ltd in respect of premises known as Co-operative Food, 122 Alexandra Road, Plymouth for the variation of the premises licence under Section 34 of the Licensing Act 2003.

Corporate Plan 2012 – 2015:

This report links to the delivery of the City and Council priorities. In Particular:
I. Delivering Growth

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

Not applicable.

**Other Implications: e.g. Community Safety, Health and Safety, Risk
Management and Equality, Diversity and Community Cohesion:**

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 & Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

Background papers:

Application.

Licensing Act 2003.

Guidance issued under Section 182 Licensing Act 2003.

Council's Licensing Policy.

Sign off:

Fin		Leg 1514 0/09. 07.12 /DJB		HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											

1.0 Introduction

1.1 On the 8 June 2012 the licensing department received an application from Co-operative Group Food Ltd in respect of premises known as Co-operative Food, 122 Alexandra Road Plymouth for the variation of an existing licence under Section 34 of the Licensing Act 2003.

1.2 Details of variation

Current Licensable Activities	Variation Application
<p><u>(m) Supply of Alcohol for consumption OFF the premises.</u></p> <p>Hours – Monday to Sunday 8am to 11pm</p> <p>Non Standard Timings.</p>	<p>Hours – Monday to Sunday 7am to 11pm</p>
<p><u>(o) Hours premises are open to the public</u></p> <p>Hours – Monday to Sunday 8am to 11pm</p> <p>Non Standard Timings.</p>	<p>Hours – Monday to Sunday 7am to 11pm</p>

1.3 Variation application.

The nature of the proposed variation is to extend the opening hours and the sale of alcohol (off the premises) by one hour in the morning.

1.4 Representations have been received in respect of this application.

1.5 Cumulative Impact Policy

This application does not fall within an area to which the Cumulative Impact Policy applies.

2.0 RESPONSIBLE AUTHORITIES

2.1 *Environmental Health* – no representations

2.2 *Devon & Cornwall Police* – no representations.

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.

2.8 *Health Authority* – no representations.

2.9 *Licensing Authority* – no representations

3.0 INTERESTED PARTIES

2 letters of representation has been received from residents living within the vicinity of the premises. (Appendix 1 & 2)

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 appropriate for the promotion of the licensing objectives:

1. Modify the conditions of the licence
2. Reject the whole or part of the application;

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.

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 appropriate in order to promote the licensing objectives.

R. Carton
Manager of Public Protection Service

RECEIVED
PUBLIC PROTECTION SERVICE
15 JUN 2012
F.A.O.

PRINCE MAURICE RD
LIPSON

PLYMOUTH

DEVON

PL4 7LJ

AS A HOMEOWNER AND RESIDENT I WOULD LIKE TO
RAISE OBSECTION TO THE PROPOSAL FOR A VARIATION
OF PREMISES LICENCE FOR.

COOPERATIVE FOOD LTD

122 ALEXANDRA RD

PLYMOUTH

PL4 7EQ

I LIVE TO THE REAR OF THESE PREMISES IN PRINCE
MAURICE RD PL4 7LJ AND OVER LOOK THE
PREMISES AND WOULD LIKE TO POINT OUT THAT THE
ENTRANCE TO THE PREMISES IS IN PRINCE MAURICE R
AND IN REACHING YOUR DECISION ON THE PROPOSAL
BY COOPERATIVE FOOD LTD I WOULD LIKE YOU TO
TAKE IN TO CONSIDERATION WHEN YOU REACH YOUR
DECISION THE FOLLOWING REASONS WHY I AM
AGAINST THE PROPOSAL

① THE SAME COOP FOOD LTD ALREADY HAVE GOT
2 LARGE SHOPS ON MUTLEY PLAIN ONLY A
10 MINUTE WALK FROM THIS RESIDENTIAL AREA

② THE INCREASE IN ANTISOCIAL BEHAVIOR IN AND AROUND
THE LIPSON AREA LATE AT NIGHT

P.T.O

③ THE EARLY MORNING NOISE GENERATED BY THE DELIVERY LORRIES. 7 DAYS A WEEK IT IS BAD ENOUGH NOW FROM 8 A.M WITH NOISE AND AND THESE TRUCKS PARK ON THE PAVEMENTS AND BLOCK THE FOOTPATH WITH CAGE DELIVERY TROLLEYS AND THE PUBLIC HAVE TO WALK IN THE ROAD TO GET AROUND THE TRUCKS BEFORE YOU CAN GET BACK ON THE PAVEMENTS SO HOW WILL IT BE IF THEY ARE GRANTED 7 AM OPENING

④ I FEEL THAT THE APPLICATION IS NOT FOR RESIDENTS AND HOMEOWNERS AND THAT IT IS ONLY TO TARGET THE STUDENT BLOCK THAT IS ON ALEXANDRA RD OPPOSITE THE COOP FOOD STORE 220 ROOMS AND THIS IS WITHOUT THE REST OF THE HOUSES OF MULTI OCCUPANCY ON ALEXANDRA RD HOUSING STUDENTS.

⑤ WE ALREADY HAVE ENOUGH NOISE AND ANTI SOCIAL BEHAVIOR FROM THE STUDENT BLOCK WITHOUT GIVING THEM EXTRA HOUR FOR BINGE DRINKING BEFORE THEY LEAVE TO GO TO THE NIGHT CLUBS.



RECEIVED
PUBLIC PROTECTION SERVICE
27 JUN 2012
F.A.O. _____

We are writing to say that we formally oppose the application to extend the opening & licensing hours of the Co-op on Alexandra Road, Mutley, Plymouth.

The reason for our opposition to the extended opening & licensing hours is due to the extremely well documented increase in anti-social behaviour in the area including many incidents directly related to the store, as it has been held up at knife point, the glass doors and windows being smashed, begging outside the store from addicts, meeting place for street drunks who also use the steps on our path as a place to sit and drink and also an incident of a ram-raid.

We have a large student population in the area many of whom we've witnessed buying their drink from the Co-op they then drink outside in the back yards or in the student accommodation and noise levels of partying into the night have become intolerable.

We feel that any increase in licensing hours would lead to further misery to us and further anti-social behaviour. I would urge you to speak to the local community police who are all too aware of the rise in anti-social behaviour including damage to vehicles and property in the years since the Co-op opened its store in Alexandra Road Mutley.

We have also made our representation via email as an email address was provided but we were unable to send the form via email as it wouldn't let us edit it. Also we cannot send in a hard copy of the form as when I go to print the online copy it displays on screen as blank and prints it blank. Please let us know if this letter of objection is adequate enough for your records, if not please send us a hard copy of the form.

Regards



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