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19 April 2013

LICENSING SUB COMMITTEE

Tuesday 30 April 2013
10 am
Council House (Next to the Civic Centre), Plymouth

Members:
Councillors Mrs Bowyer, Rennie and Kate Taylor.

Fourth Member:
Councillor Mrs Dolan.

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

Please note that, due to the nature of this Committee, we may need to send 'to follow' documents which were not expected at the time of the agenda publication. These documents may be considered under part I or part II.

Tracey Lee
Chief Executive

LICENSING SUB COMMITTEE

AGENDA

PART I – PUBLIC MEETING

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. CORNER SHOP, 81 NORTH HILL, PLYMOUTH - REVIEW (Pages 1 - 6) OF PREMISES LICENCE

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

AGENDA

PART II - PRIVATE MEETING

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: Corner Shop, 81 North Hill, Plymouth.
Review of Premises Licence

Committee: Licensing Sub

Date: 30 April 2013

Cabinet Member: Councillor Brian Vincent

CMT Member: Director for Place

Author: Peter Clemens

Contact details: Tel: 01752 305465
e-mail: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM

Key Decision: None

Part: I

Purpose of the report:

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 Corner Shop, 81 North Hill, Plymouth.

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. Child Poverty, Community Safety, Health and
Safety and Risk Management:**

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.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? Yes/No

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and rejected:

None

Published work / information:

Background papers:

[illegible]

Sign off:

Fin		Leg	17267 /ag/11. 4.13	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the content of the report? Yes / No													

1.0 INTRODUCTION

1.1 On the 11 March 2013 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 Corner Shop situated at Corner Shop, 81 North Hill, Plymouth

1.2 Review application.

Devon and Cornwall Police have applied for the review of the premises licence for the purpose of promoting the licensing objectives in relation to the protection of children from harm. A copy of this application has been served by Devon and Cornwall Police on each of the responsible authorities and the holder of the premises licence.

In accordance with review proceedings at 11.11am on Tuesday 12 March 2013 a licensing officer from Plymouth City Council attended the premises and spoke to Mr Guney Naci and requested the site notice be displayed at the premises.

At 12.06pm the same day a similar notice was displayed on the public notice board at the Civic Centre, Armada Way, Plymouth.

1.3 Licensable Activities.

These premises have the following licensable activities and timings.

The sale by retail of alcohol for consumption OFF the premises only		
Monday to Saturday	8am	11pm
Sunday	10am	10:30pm
Non Standard Timings:		
Good Friday; 8am to 10.30pm		
Christmas Day: 12midday to 3pm		
7pm to 10.30pm		
Premises opening hours		
Monday to Saturday	8am	11pm
Sunday	10am	10:30pm
Non Standard Timings:		
Good Friday; 08.00am to 10.30pm		
Christmas Day: 12midday to 3pm		
7pm to 10.30pm		

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.
- 2.7 *Health Authority* – no representations.
- 2.8 *Licensing Authority* – no representations.

3.0 OTHER PARTIES

2 – letters of representation have been received (Appendix 1 and 2).

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 appropriate 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.

R. Carton
Manager of Public Protection Service

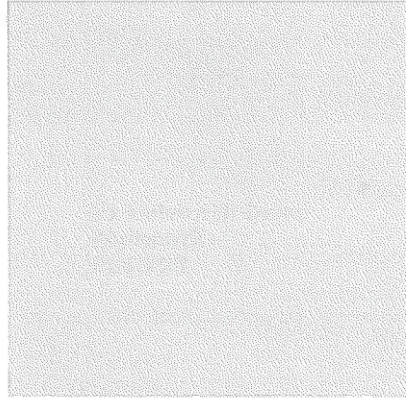
From: [REDACTED]
Sent: 12 March 2013 13:40
To: licencing@plymouth.gov.uk; [REDACTED]
Subject: Corner Shop 81 North Hill Plymouth

Dear sirs

I regularly use this shop and would like to say that I have on more than one occasion witnessed people being asked for I D and being refused to be served without ID. The guy in this shop does a great job he is good for the area. Please support him.

Thanks.

Outland Rd PL2



05 April 2013

Reference: The Corner Shop, 81 North Hill, Plymouth

To Whom It May Concern:

I write this letter in support of (until recently) my local corner shop.

As a resident of Mount Street in Greenbank for 14 years, The Corner Shop, was not the nearest to my home but in latter years had the most convenient opening hours and reasonable prices.

I can confirm that on all occasions of my purchasing alcohol at the premises, I was asked to identify myself. Furthermore I regularly witnessed other customers being asked to identify themselves when making age restricted purchases.

Please do not hesitate to contact me via email, or on [REDACTED] if further clarification is needed.

Regards,

