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Democratic Support

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#plymlicensing

LICENSING SUB COMMITTEE

Tuesday 10 December 2013

11 am

Council House (Next to the Civic Centre), Plymouth

Members:

Councillors Jordan, Rennie and John Smith.

Fourth Member:

Councillor Singh.

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. MINT, G/F, 2 UNION STREET, PLYMOUTH - REVIEW OF PREMISES LICENCE (Pages 1 - 6)

The Director for Place will submit a report on the review of a premises licence in respect of Mint, G/F, 2 Union Street, Plymouth.

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 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.

PLYMOUTH CITY COUNCIL

Subject: Mint, G/F, 2 Union Street, Plymouth.
Review of Premises Licence

Committee: Licensing Sub Committee

Date: 10 December 2013

Cabinet Member: Councillor Brian Vincent

CMT Member: Anthony Payne (Director for Place)

Author: Fred Prout (Senior Licensing Officer)

Contact details: Tel: 01752 304792
email: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM

Key Decision: None

Part: I

Purpose of the report:

An application has been received from Superintendent Chris Singer for the Devon and Cornwall Police under Section 51 of the Licensing Act 2003 for the review of the premises licence in respect of Mint situated at Ground Floor, 2 Union Street Plymouth.

The Brilliant Co-operative Corporate Plan 2013/14 – 2016/17:

This report links to the delivery of the City and Council objectives and outcomes within the plan.

In particular: Growing

See http://www.plymouth.gov.uk/corporate_plan.pdf

**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? No

Recommendations and Reasons for recommended action:

That Members consider this report.

Alternative options considered and rejected:

None

Published work / information:

For more information please see the below links.

Licensing Policy

http://www.plymouth.gov.uk/statement_of_licensing_policy.pdf

Licensing Act

<http://www.legislation.gov.uk/ukpga/2003/17/contents>

Licensing Act Guidance

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/209526/1167-A_Licensing_Act_2003_2_.pdf

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Application										

Sign off:

Fin		Leg	SD/1 8919 /21/ 11/1 3	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the content of the report? No													

1.0 INTRODUCTION

1.1 On the 16 October 2013 the licensing department received an application from Superintendent Chris Singer for the Devon and Cornwall Police under Section 51 of the Licensing Act 2003 for the review of the premises licence in respect of Mint situated at Ground Floor, 2 Union Street, 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 prevention of crime and disorder and public safety. This follows an increase in incidents of violence at the premises. 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 13.15hrs on 16 October 2013 a licensing officer from Plymouth City Council attended the premises and placed a site notice on a pole for a hackney carriage stop nearest to the premises.

At 13.05hrs the same day a similar notice was displayed on the public notice board at the Civic Centre, Armada Way, Plymouth.

At 10.20hrs on 17th October 2013 a licensing officer from Plymouth City Council attended the premises and placed a notice on the front doors of the premises.

Since the submission of the review application the premises licence has been transferred to a new premises licence holder.

1.3 Licensable Activities.

These premises have the following licensable activities and timings.

Exhibition of films (Indoors)

Monday to Sunday 10:00am 6:00am

Indoor sporting event

Monday to Sunday 10:00am 6:00am

Boxing or wrestling entertainment (Indoors)

Monday to Sunday 10:00am 6:00am

Performance of live music (Indoors)

Monday to Sunday 10:00am 6:00am

Playing of recorded music (Indoors)

Monday to Sunday 10:00am 6:00am

Performance of dance (Indoors)

Monday to Sunday 10:00am 6:00am

Entertainment of a similar description to that falling within E, F, or G

(Indoors)

Monday to Sunday 10:00am 6:00am
Non Standard Timings:

New Years Eve: From the end of permitted hours on New Years Eve to the start of permitted hours on the following day

Provision of facilities for making music (Indoors)

Monday to Sunday 10:00am 6:00am

Provision of facilities for dancing (Indoors)

Monday to Sunday 10:00am 6:00am

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

Monday to Sunday 10:00am 6:00am

Late night refreshment (Indoors)

Monday to Sunday 11:00pm 5:00am

The sale by retail of alcohol for consumption ON and OFF the premises

Monday to Sunday 10:00am 6:00am

Non Standard Timings:

New Years Eve: From the end of permitted hours on New Years Eve to the start of permitted hours on the following day

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.
- 2.9 *Licensing Authority* – no representations

3.0 OTHER PARTIES

No representations.

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

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