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Democratic Support

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#plymlicensing

LICENSING SUB COMMITTEE

Tuesday 15 April 2014

10am

Council House (Next to the Civic Centre), Plymouth

Members:

Councillors Gordon, Jordan and Rennie.

Fourth Member:

Councillor Mrs Bowyer.

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. OMG OF THE PARADE, BARBICAN, PLYMOUTH VARIATION OF PREMISES LICENCE **(Pages 1 - 18)**

The Strategic Director for People will submit a report regarding a variation of premises licence in respect of OMG of the Parade, Barbican, 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 1 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: OMG of The Parade, Barbican, Plymouth.
Variation of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 15 April 2014

Cabinet Member: Councillor Brian Vincent

CMT Member: Carole Burgoyne (Strategic Director for People)

Author: Mr F Prout

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

Ref: ERS/LIC/PREM VAR

Key Decision: No

Part: I

Purpose of the report:

An application has been received from Lamb and Co. Solicitors on behalf of K A Operations Ltd in respect of OMG, The Parade, Barbican, Plymouth PL1 2JL for the Variation of a premises licence under Section 34 of the Licensing Act 2003.

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 | 19904 /ag/27. 3.14 | 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 12 February 2014 the licensing department received an application from Lamb and Co Solicitors on behalf of K A Operations Ltd the Variation of a premises licence under Section 34 of the Licensing Act 2003 in respect of OMG situated at The Parade, Barbican Plymouth.

1.2 Details of variation

| Current Licensable Activities | Variation Application |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <p><u>(e) Live Music</u> (Indoors)</p> <p>Hours</p> <p>Monday to Thursday 12 noon to 02:00am</p> <p>Friday and Saturday 12 noon to 04:00am</p> <p>Sunday 12 noon to 12 midnight</p> <p>Non Standard Timings.</p> <p>Sundays before Bank Holidays 12 noon to 02:00am</p> <p>New Years Eve 12 noon to 04:00am</p> | <p><u>(e) Live Music</u> (Indoors)</p> <p>Hours</p> <p>Sunday to Thursday 12noon to 04:00am</p> |
| <p><u>(f) Recorded Music</u> (Indoors)</p> <p>Hours</p> <p>Monday to Thursday 12 noon to 02:00am</p> <p>Friday and Saturday 12 noon to 04:00am</p> <p>Sunday 12 noon to 12 midnight</p> <p>Non Standard Timings.</p> <p>Sundays before Bank Holidays 12 noon to 02:00am</p> <p>New Years Eve 12 noon to 04:00am</p> | <p><u>(f) Recorded Music</u> (Indoors)</p> <p>Hours</p> <p>Sunday to Thursday 12noon to 04:00am</p> |
| <p><u>(g) Performance of Dance</u> (indoors)</p> <p>Hours</p> <p>Monday to Thursday 12 noon to 02:00am</p> <p>Friday and Saturday 12 noon to 04:00am</p> <p>Sunday 12 noon to 12 midnight</p> <p>Non Standard Timings.</p> <p>Sundays before Bank Holidays 12 noon to 02:00am</p> <p>New Years Eve 12 noon to 04:00am</p> | <p><u>(g) Performance of Dance</u> (indoors)</p> <p>Hours</p> <p>Sunday to Thursday 12noon to 04:00am</p> |

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><u>(h) Anything of a Similar Description to that falling within (e) (f) or (g)</u></p> <p>Hours</p> <p>Monday to Saturday 10:00am to 02:00am</p> <p>Sunday 10:00am to Midnight</p> | <p><u>(h) Anything of a Similar Description to that falling within (e) (f) or (g)</u></p> <p>Hours</p> <p>All Days 12noon to 04:00am</p> |
| <p><u>(l) Late Night Refreshment</u> (indoors)</p> <p>Hours</p> <p>Monday to Thursday 11:00pm to 02:00am</p> <p>Friday and Saturday 11:00pm to 04:00am</p> <p>Sunday 11:00pm to 12 midnight</p> <p>Non Standard Timings.</p> <p>Sundays before Bank Holidays 11:00pm to 02:00am</p> <p>New Years Eve 11:00pm to 04:00am</p> | <p><u>(l) Late Night Refreshment</u> (indoors)</p> <p>Hours</p> <p>Sunday to Thursday 11:00pm to 04:00am</p> |
| <p><u>(m) Supply of Alcohol for consumption ON and OFF the premises.</u></p> <p>Hours</p> <p>Monday to Thursday 12 noon to 02:00am</p> <p>Friday and Saturday 12 noon to 04:00am</p> <p>Sunday 12 noon to 12 midnight</p> <p>Non Standard Timings.</p> <p>Sundays before Bank Holidays 12 noon to 02:00am</p> <p>New Years Eve 12 noon to 04:00am</p> | <p><u>(m) Supply of Alcohol for consumption ON and OFF the premises.</u></p> <p>Hours</p> <p>Sunday to Thursday 12noon to 04:00am</p> |
| <p><u>(l) Hours premises are open to the public</u></p> <p>Hours</p> <p>Monday to Thursday 12 noon to 02:00am</p> <p>Friday and Saturday 12 noon to 04:00am</p> <p>Sunday 12 noon to 12 midnight</p> <p>Non Standard Timings.</p> <p>Sundays before Bank Holidays 12 noon to 02:00am</p> <p>New Years Eve 12 noon to 04:00am</p> | <p><u>(l) Hours premises are open to the public</u></p> <p>Hours</p> <p>Sunday to Thursday 12noon to 04:00am</p> |

1.3 Variation application

The nature of the proposed variation is to vary the hours when the licensable activities may take place on Monday to Thursday from 12 noon to 02:00am and Sunday 12 noon to 12 midnight to Sunday to Thursday inclusive from 12 noon to 04:00am.

It is proposed that the variation be for a period of 12 months from the date of the variation and thereafter the permitted hours will revert to those permitted prior to this application unless the premises licence holder shall make a further application for a variation.

1.4 Conditions currently attached to the licence (Appendix 1).

1.5 As part of the application the applicant put forward a number of conditions to promote the four licensing objectives (Appendix 2).

1.6 Representations have been received in respect of this application.

1.7 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the application were granted. However before the Licensing Authority can lawfully consider giving effect to this policy there must be a relevant representation from either a responsible authority or an interested party referring to information which was before the Licensing Authority when this special policy was developed.

2.0 RESPONSIBLE AUTHORITIES

2.1 *Devon & Cornwall Police*

has made representation relating to the prevention of crime and disorder and public nuisance (Appendix 3)

2.2 *Environmental Health*

has made representation relating to the prevention of public nuisance (Appendix 4).

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 OTHER PARTIES

One letter has been received that is attached to this report (appendix 5)

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

ANNEX 1 - MANDATORY CONDITIONS

(1) The first condition is that no supply of alcohol may be made under the premises licence: -
(a) At a time when there is no designated premises supervisor in respect of the premises licence, or
(b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(2) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

The Following Conditions shall come into force on the 6th April 2010

(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(2) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

(3) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

The Following Conditions shall come into force on the 01st October 2010

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to-

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

(3) For the purposes of this section-

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

A Regulated Entertainment

a) Capacity - First Floor 290
Second Floor 90

B Steps taken in order to promote the four Licensing objectives

1. a) An SIA door supervisor service will be in place after 22.00hrs during opening hours until close.

b) An SIA door supervisor service will be in place for Bank Holiday Sundays from 15.30Hrs and 18th & 21st birthday celebrations from opening until closing.

2. Toughened or plastic glasses will be used at all times & preferably plastic on Bank Holiday weekends.

3. High resolution CCTV fully functioning, minimum of 10 cameras giving broad coverage of most areas & keeping records for 14 days.

4. Customers may only take drinks outside if covered by Street Café Licence.

5. Staff to ensure customers leave quietly including use of notices at exits directing such and

last 15 minutes music to be passive.

6. All refuse, bottles etc. to be disposed of during daylight hours in order to minimize late night disturbance.

7. A limiter installed on the sound system to ensure volume of music is kept within the guidelines.

8. Sounds levels after 02:00 hrs will be monitored to ensure no disruption to local residents and no volume escaping the building.

9. a) All entrants to be IDd both at door and at bar server.

b) On entry, colour coded hand stamps of different colours to be placed on both hands of both over 18s and under 18s so that they can be easily recognized by bar supervisors and door supervisors alike.

c) Door supervisors to spot check club occupants from time to time throughout the function, in order to check hand stamps against drink content.

d) No adult entertainment, including stripping or nudity will be performed if any under 18s are present in the venue.

e) A copy of condition 9 to be put up at pay booth. A highlighted copy of this condition to be signed by person, or persons booking function, and retained by licensee on confirmation of booking of 18th party.

f) An Operational Policy document will be produced by Licensee/Management, outlining how 18th & 21st celebration parties will be run. This document will be in agreement with the Police Licensing Department and all staff will be advised of when this policy is operating.

10. Require ID from any persons looking under the age of 21.

11. ID must be in the form of either Passport, Photographic Driving Licence or Pass holographic approved ID.

18th & 21st Partys Operational Policy

All staff must abide by these guidelines without fail during partys with age groups ranging between these years

- Door supervisors must check all entrants prior to their admittance.
- Best practice guidelines to be used: Photo Driving Licence, Portman/Citizen Card or Passport.
- Coloured stamp/UV stamp to be used on both hands of all under 18s, indicating to all staff their inability to purchase or consume alcohol.
- Normal colour stamp to be used on both hands of all over 18s.
- Anyone found not to be stamped in either format will be taken to be re-verified, re-stamped or asked to vacate the premises. **No stamp, No drink, No exception**.
- Only one drink purchase, per person, per visit to the bar except where older family members are Round Purchasing for older family members.
- All drinks to be dispensed into plastic receptacles.
- Staff may continue to ask for ID at the bar if they wish to in any event.
- Door supervisors/management will randomly check patrons drink throughout the evening.
- A bona fide guest list will be requested prior to party date.
- Anyone under the age of 18 seen drinking in the vicinity of the premises will not be permitted to enter.
- Anyone under the age of 18 turning up to attend the event (whether invited or not) who is obviously under the influence of alcohol, will be denied access.
- Nobody to take drinks of any kind outside the premises if having a smoking break.
- Signs pointing out the offence of purchasing for under-aged will be prominently displayed.
- All customers will be warned about the seriousness of purchasing for under-age drinkers.
- A copy of this policy will be given to party organiser on receipt of booking.

C Conditions agreed with Environmental Health Authority

After 02:00 hrs until 08:00 hrs

1. Total sound containment within the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority

None.

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

The existing conditions as set out in the licence are to remain in full force and effect the applicant will agree to the additional conditions as set out below

b) The prevention of crime and disorder

As the premises are in a cumulative impact area the variation of the permitted and opening hours shall be permitted for a period of 12 months from the date of the variation and thereafter the permitted hours shall revert to those permitted prior to this variation unless the licence holder shall make a further application for a variation which shall be accompanied by a statement showing the impact of the variation on the cumulative impact area policy

c) Public safety

The capacity of the premises shall be reduced to 200 on Mondays to Thursdays (inclusive) Signs will be provided in prominent locations indicating free drinking water available on request. At times when the premises are open after midnight a minimum of 2 SIA registered doorstaff will be provided for the first 100 patrons and one additional door staff for each 100 persons thereafter

d) The prevention of public nuisance

On Mondays to Thursdays (inclusive) there will be no entry or re entry of members of the public after 3.30am. Signage will be placed in prominent locations requesting that patrons leave quietly

e) The protection of children from harm

Existing conditions to be reinforced by a 'challenge 25' policy

Marie Price
Licensing Officer
Plymouth City Council
Armada Way
Plymouth

David McIndoe
Licensing Officer
Charles Cross Police Station
Plymouth

Telephone: 01752 720473

11th March 2014

Our ref:
Your ref:

**Re application to Vary Premises Licence OMG 11, The Parade The Barbican
Plymouth PL1 2JL**

Dear Miss Price

With regard to the above application, please be advised the police intend to make representations to the Plymouth City Licensing Committee as it is felt the variation of this licence will have a negative impact on the licensing objectives, of The prevention of Crime and Disorder and Public Nuisance.

The premises are situated within an area that Plymouth City Council adopted as being in an Cumulative Impact Policy relating to the Barbican area. As such we would refer to the evidence produced by the police that supported the introduction of this policy

It is our contention that if granted the variation as specified in the application given the location of the premises close to residential homes and the impact of the people who gather in and around the premises there will be a negative impact on the licensing objectives and an increase in levels of alcohol related incidents of disorder and anti social behaviour reported.

A check of The Devon and Cornwall Constabulary records show Alcohol related Crime levels and Anti Social behaviour in this area to be of concern.

The Devon and Cornwall Police believe this application does not provide sufficient detail to demonstrate how it will not have Impact in a negative way on the Licensing Objectives

Therefore the Devon and Cornwall Police wish to object to this application

Yours sincerely

David McIndoe
55474 Licensing officer.

MEMO

Public Protection Service

**Licensing Act 2003****Environmental Health Representation**From: **Unit Manager, Public Protection Service**To: **Head of Licensing Section**FAO: **Peter Clemens**Date: 14th March 2014Schedule Ref: **TC/RMO/855859**

Investigating Officer: Mr R. Morgan

Extension Number: 4851

Application Details**Premises: OMG, 11 The Parade, Barbican, PL2****Name of Applicant: K A Operations Ltd****Address: 454 Altair House, Falcon Drive, Cardiff, CF10 4RH****Type of Application:** Variation**Date of Inspection:** N/A**Representation**

This department would like to make the following representation:

I consider the application to undermine the following licensing objectives:

The Prevention of Public Nuisance

The likely effect of granting the licence as applied will undermine the licensing objectives because:**The Prevention of Public Nuisance**

There is the potential for the application as applied to cause public nuisance if granted as applied from noise emanating from the premises in the form of patron noise (people arriving and leaving), noise from music outbreak, noise from taxis pick up/drop offs late at night. The premises is located within a cumulative impact policy area which was determined due to a saturation of licensed premises and to protect the amenity of local residents from further licensed premises or extensions to licenses of existing premises licences

Recommendations**I therefore recommend that this application is refused because:**

The applicant has not demonstrated within the application how the extension of hours until 4.a.m during weeknights (Sunday – Thursday) will not have an impact on the surrounding local residents. The premises is close to residential properties and assessment of the impact of these extension of hours on these properties has not been provided by the applicant.

The extension of the licence during midweek is not appropriate to the area. There is the potential for a wide range of residents to be affected by noise generated from the club (whether music or people). It must be considered, if the business is successful, that there is the potential for 200 people 'in drink' to be leaving a very quiet area, very early in the morning and causing disturbance in the vicinity when they would reasonably expect a good nights sleep.

Residents, given the nature of the area, are likely to be accustomed to a certain level of noise on Friday and Saturday nights and also on Bank Holidays, but expect a reasonable amount of comfort during weeknights when they are likely to be working the following mornings. There is the potential for residents to be affected by noise seven days a week with the granting of this application. The vast majority of people on the Barbican have left the area by between 00.00hrs and 0100hrs and noise levels after these times generally decrease quite significantly. This application is proposing a possible increase on noise levels which currently do not occur. There is also the potential for noise from taxis waiting to pick-up customers late at night outside the premises.

The Cumulative Impact Policy has been adopted to protect the local residents. There is the potential knock-on effect on the community by the premises attracting patrons who currently are not in the area. The granting of this application will encourage other businesses to apply for similar timings and the knock-on effect is that precedents will be set and there is the potential for the area to develop from an evening-night time area based on bars and restaurants to a late night clubbing type area, similar to other less residentially populated areas within the City, seven days a week.

The applicant has not demonstrated in the application or operating schedule how the effect of the granting of the licence will not have an impact on the area, where it has been determined that there are issues as designated by the Cumulative Impact Policy Area.

There is the potential that if the licence is granted as applied that the licensing objective for the prevention of public nuisance and public safety will be undermined. The premises is located within a mixed use area with residential premises within 20 metres on three sides

The applicant has not demonstrated in the application how the licence, if granted would not undermine one or more of the four licensing objectives. Having considered the application on its own merits there is the potential for the application to impact negatively on the amenity of local residents.

LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

☒ I wish to object to the following application ☐ I wish to support the following application

Name of applicant (if known)

Premises name and address

OMG. -

Postcode

Which type of application you wish to make your representation about?

- ☐ Application for a new premises licence
☒ Application to vary a premise licence
☐ Application for a review of a premises licence

Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title ☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other (please state)

Surname

Forenames

Address

Postcode

Email

Telephone

You must provide your full residential address (or business address if you are objecting from a business)

Section 3: Representative details

If you represent residents or businesses please complete the details below

Name of representative/organisation

CLUB Sue McDONALD

Address

SE PETR and the WATERFRONT WOOD

Postcode

PL1 1AA

CLUB TUFFIN

I am

☐ Representative of residents association

☐ Representative of trade/business association

☒ Ward Councillor

☐ Other (please specify)

☐ MP

Section 4: Reason(s) for representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

Public safety

For example alterations to the premises, capacity limits

The prevention of public nuisance

For example noise disturbance, littering

Residents near the BROCK HOUSE, VAUXHALL ST.
sheltered housing scheme have reported
cameras to Cllr Ian Tuffin concerning
noise. Residents feel that an extension
of opening hours

The protection of children from harm

For example underage sales, exposure to certain performances

Cllr. SUE McDONALD

I Sue McDonald, hereby declare that all information I have submitted is true
and correct.

Signed Sue McDonald Date 10th March '14

Please send the completed form to

Licensing Department
Plymouth City Council
Civic Centre
Plymouth PL1 2AA
T: 01752 305465
E: licensing@plymouth.gov.uk

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