

Licensing Sub Committee

Tuesday 18 July 2017

PRESENT:

Councillor Rennie, in the Chair.
Councillor Hendy, Vice Chair.
Councillor Cook.

Apology for absence: Councillor Dr Mahony.

Also in attendance: Ann Gillbanks (Senior Lawyer), Fred Prout (Senior Licensing Officer) and Helen Wright (Democratic Adviser).

The meeting started at 10 am and finished at 11.31 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.

21. **Appointment of Chair and Vice-Chair**

Councillor Rennie was appointed as Chair and Councillor Hendy was appointed as Vice Chair for this particular meeting.

22. **Declarations of Interest**

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

23. **Chair's Urgent Business**

There were no items of Chair's urgent business.

24. **Mr Michael Currie, Kernow Mobile Bars, 4 Gear Drive, Quintrell Downs, Newquay, Cornwall - Temporary Events Notice**

The Committee –

- (a) considered the report from the Office of the Director of Public Health;
- (b) heard from the Police that -
 - there had been an increase in anti-social behaviour by street drinkers on the green space in the area in the last four to five weeks;
 - there was a lack of engagement with the Police over the

application;

- the proposed control of access to the area could cause anti-social confrontational behaviour and also issues of Police support of the event;
 - concerns over safeguarding issues for people in the area and dispersal at the end of the event;
 - reported that the Designated Public Place order was in place;
 - concerns over the control of alcohol sales and consumption at the event;
 - concerned that the event had been advertised on social media which could attract people from other areas of the city, thereby exceeding the occupancy numbers applied for increasing the potential for anti-social behaviour;
- (c) the Police therefore contended that the issue of the Temporary Event Notice would have a negative impact on the Licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety;
- (d) heard from the applicant's representative that -
- the event was fully insured and the activities and services were being provided by third party companies with the relevant accreditation and insurance; a licensed security firm would also be present;
 - the community board had an extensive track record in successfully organising family community events; they were a well-regarded, professional company funded by Plymouth Community Homes and held an Investor in People accreditation;
 - Devonport had suffered too long from a poor image and refusal to grant a licence was likely to continue to reinforce the negative stereotypes of the area, despite millions being spent on regeneration;
 - this year the event held extra meaning as it was 30 years since Pembroke Street Residents began campaigning for change on their estate and were about to celebrate not just their own success but the regeneration of the whole of Devonport;
 - this event was a grass roots community project funded by the National Lottery 'Celebrate' fund; it would include live music between 7pm until 10pm; there would be food available from

Cornish Pod; a bouncy castle and face painters would be available for children from 6.45pm until 8.45pm;

- other associated activities over the weekend included the launch of a specially commissioned film charting the history of the organisation and its impact on the wider regeneration of Devonport along with the unveiling of a community designed and produced public mosaic artwork; a lunchtime event was also being hosted for residents, partner organisations and councillors;
- there had never been a single issue reported to the Police about any of the activities and felt that a licensed bar provided additional control that a 'bring your own alcohol' policy did not offer;
- if concerns remained about potential problems the proposed following additional measures would be funded at own cost -
 - securing the perimeter of the site to ensure access could only be gained from a security monitored entrance point;
 - increasing the licensed security presence to monitor behaviour;
 - restricting the sale of alcohol to 6.30pm until 10pm only;

(e) considered -

- that the representations made by the Police were relevant to the licensing objective of the Prevention of Crime and Disorder;
- whilst taking into consideration the proposed controls for the Temporary Events Notice, believed that the application had the potential to increase the likelihood of crime and disorder and had particular concerns about the safe control of the access to the area and the safeguarding of the residents.

The Committee having regard to the objections provided by the Police and what had been said by all parties the Committee considered that the granting of a Temporary Events Licence for the sale of alcohol would undermine the licensing objectives of Crime and Disorder so it is agreed to give a counter notice in respect of the application.