

MEDIATION REPORT

Licensing Committee



Date: 03 December 2019

Title of Report: Information regarding delegated decisions for applications for the grant / variation of premises licences

Lead Member: Councillor Sally Haydon (Cabinet Member for Customer Focus and Community Safety)

Lead Strategic Director: Dr Ruth Harrell (Office of the Director of Public Health)

Author: Frederick Prout (Senior Licensing Officer)

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Your Reference: ERS/LIC/PREM

Key Decision: No

Confidentiality: Part I - Official

Purpose of the report:

Applications have been received from various premises within Plymouth for the grant / variation of a premises licence under Sections 17 and 34 of the Licensing Act 2003.

Recommendations and Reasons:

That Members consider this report.

Alternative options considered and rejected:

None.

Relevance to the Corporate Plan and/or the Plymouth Plan:

Our Plan – A City to be proud of.

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

A Growing City: The Licensing Policy and system aims to provide a balance between the need to protect residents and to enable legitimate businesses to operate within a necessary and proportionate regulatory framework. This in turn makes a safer, more vibrant Plymouth to allow economic growth and opportunities for increased levels of employment.

A Caring Council: The Licensing Policy has put in place an appropriate framework to allow the effective control of alcohol supply and regulated entertainment to keep all members of society protected and feeling safe by focusing on prevention and early intervention. The licensing system minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

Implications for Medium Term Financial Plan and Resource Implications:

Not applicable

Carbon Footprint (Environmental) Implications:

None

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

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.

Published work / information:

For more information please see the below links.

[Statement of Licensing Policy](#)[Licensing Act 2003](#)[Revised guidance issued under section 182 of the Licensing Act 2003 - April 2018](#)**Appendices**

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7

Background papers:

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7
Applications							

Sign off:

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Originating Senior Leadership Team member: Click here to enter text.											
Please confirm the Strategic Director(s) has agreed the report? N/A Date agreed: Date.											
Cabinet Member signature of approval: [electronic signature (or typed name and statement of 'approved by email') on Cabinet member approval only] Date: N/A											

1.0 INTRODUCTION

1.1 Since the introduction of the Licensing Act regime in 2005 applications have been received for the grant and variation of premises licences. Some of these applications have received representations from responsible authorities or other parties and have been mediated out by agreement with both the applicant and the respective responsible authority without the need to bring the applications before the committee for determination.

2.0 RESPONSIBLE AUTHORITIES

2.1	<i>Environmental Health</i>	
	Stoke Village Fun Day	Stoke
	Downtown	City Centre
	Holy Smoke Bar-B-Que	City Centre
	Cineworld	City Centre
2.2	<i>Devon & Cornwall Police</i>	
	Bulletproof Brewing	Mutley Plain
	Alcodrops	Union Street
	Fusion Cuisine	Barbican
	The Pig	City Centre
	Stoke Village Fun Day	Stoke
	Goodbodys Café	Mutley
	Downtown	City Centre
	Holy Smoke Bar-B-Que	City Centre
	Cineworld	City Centre
	The Bloc Bistro	City Centre
	Brow Envy	Stonehouse
2.3	<i>Child Protection</i>	
	Cineworld	City Centre
2.4	<i>Licensing Authority</i>	
	Stoke Village fun Day	Stoke
	The Range	Derrriford
	Co-operative Store	Ernesettle

3.0 CONSIDERATIONS

3.1 Paragraph 9.31 of the Guidance issued under section 182 of the Licensing Act 2003 and section 18(3)(a) of the act states that a hearing does not have to take place if there are representations but all parties can reach an agreement through a mediation process. When written agreement has been made representations are then withdrawn and the agreed conditions are included within their operating schedule. In such cases officers can determine the application.

3.2 The premises listed above are ones that have been dealt with by way of mediation and written agreement for the period between 01 May 2019 until 31 October 2019 and this report is submitted for the information of the committee.