

# MEDIATION REPORT

Licensing Committee



Date:	08 December 2020
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:	Marie Price (Senior Licensing Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	ERS/LIC/PREM
Key Decision:	No
Confidentiality:	Part I - Official

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**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.

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**Recommendations and Reasons:**

That Members consider this report.

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**Alternative options considered and rejected:**

None.

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**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.

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**Implications for Medium Term Financial Plan and Resource Implications:**

There are no implications for the Council's finances as a result of this report

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**Carbon Footprint (Environmental) Implications:**

None

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**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
A	Briefing Report (Mandatory)							
B	Equalities Impact Assessment (Mandatory)							

**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

**Sign off:**

Fin	djn.20 .21.17 3	Leg	3569 9 /ag/25 .11.20 20	Mon Off	Click here to enter text.	HR	Click here to enter text.	Asset s	Click here to enter text.	Strat Proc	Click here to enter text.
Originating Senior Leadership Team member: Rob Nelder											
Please confirm the Strategic Director(s) has agreed the report? Ruth Harrell Date agreed: 30 November 2020.											
Cabinet Member signature of approval: Councillor Haydon (verbally) Date: 30 November 2020											

## 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 *Environmental Health*

Henry J's	113-117 Mayflower Street	St Peter and the Waterfront
The Social Bar & Eatery	51 Mayflower Street	St Peter and the Waterfront
Bar Rakuda	10 Quay Road	St Peter and the Waterfront
Karauz	21 The Parade	St Peter and the Waterfront
Plymouth Argyle	Home Park	Peverell
Club 27	27 Bretonside	St Peter and the Waterfront
Tigermilk	17/19 Derrys Cross	St Peter and the Waterfront
Pier Masters House	12-13 Madeira Road	St Peter and the Waterfront
Everyman	Melville Building	St Peter and the Waterfront
Brewdog	Unit 10, 11 Bretonside	St Peter and the Waterfront
Dunya Restaurant	10 Derrys Cross	St Peter and the Waterfront
Campana	19 New George Street	St Peter and the Waterfront

### 2.2 *Devon & Cornwall Police*

Bar Rakuda	10 Quay Road	St Peter and the Waterfront
Karauz	21 The Parade	St Peter and the Waterfront
Soulfood	Unit 8 Plymouth Market	St Peter and the Waterfront
Café Kiss	7 North Street	St Peter and the Waterfront
Plymouth Argyle	Home Park	Peverell
Club 27	27 Bretonside	St Peter and the Waterfront
Premier Inn	Millbay Road	St Peter and the Waterfront
Giga's Everyday Essentials	12-14 Devonport Road	Devonport
Coronet Engravers	Unit 6 Plymouth Market	St Peter and the Waterfront
Devonns Stores	43 Ryder Road	Stoke
Ivory Fusion	32 Western Approach	St Peter and the Waterfront
Albert Express	242 Albert Road	Devonport
Tigermilk	17/19 Derrys Cross	St Peter and the Waterfront
Deliver the Liquor	95 Abbotsbury Way	Ham
Pier Masters House	12-13 Madeira Road	St Peter and the Waterfront
Guard Room @ Turnchapel	Barton Road	Plymstock Radford

### 2.4 *Licensing Authority*

Plymouth Argyle	Home Park	Peverell
Pier Masters House	12-13 Madeira Road	St Peter and the Waterfront
Campana	19 New George Street	St Peter and the Waterfront
Steel Brew Co	Melville, Royal William Yard	St Peter and the Waterfront
Soapbox Theatre	Devonport Park	Devonport
Terrace	Madeira Road	St Peter and the Waterfront

### **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 Nov 2019 until 31 October 2020 and this report is submitted for the information of the committee.