

**VARIATION OF PREMISES LICENCE NOTICE REPORT**

Licensing Sub Committee



Date:	04 January 2022
Title of Report:	Variation of Premises Licence
Lead Member:	Councillor John Riley (Cabinet Member for Governance, HR, IT & Community Safety)
Lead Strategic Director:	Dr Ruth Harrell (Office of the Director of Public Health)
Author:	Bev Gregory (Licensing Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	The Craft House. 5 Elliot Street
Key Decision:	No
Confidentiality:	Part I - Official

**Purpose of the report:**

An application has been received from Pretarchi Limited in respect of The Craft House. 5 Elliot Street, Plymouth. PLI 2PP for the Variation of a premises licence under Section 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:**

This report links to the delivery of the Council priorities. In particular:

- 1. Unlocking the City's Potential**

Licensing systems aim to assist in the delivery of a safer, more vibrant Plymouth. This in turn should attract more visitors to the City and also support an increase in the numbers of citizens of Plymouth who will utilise the social, cultural and sporting offers available. Opportunities for increased levels of employment should follow.

- 2. Caring for People and Communities**

The policy will allow for effective control of alcohol supply, which will assist in reducing alcohol harm and thereby reduce inequality. Whilst alcohol misuse affects individuals from all sections of society, those from the most disadvantaged communities experience the highest burden of harm.

See [Our Plan](#)

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

Not applicable

**Financial Risks**

Not Applicable

**Carbon Footprint 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)						
		1	2	3	4	5	6	7
A	Briefing report (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>						
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
Application							

**Sign off:**

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

## 1.0 INTRODUCTION

1.1 On the 25<sup>th</sup> October 2021 the licensing department received an application from Pretarchi Limited for the Variation of a Premises Licence under Section 34 of the Licensing Act 2003 in respect of The Craft House, 5 Elliot Street, Plymouth. PL1 2PP. The site notice was not placed on the premises until the 10<sup>th</sup> November 2021, and in the Press on the 16<sup>th</sup> November 2021, therefore the time for period for representations was extended accordingly.

### 1.2 Details of variation

Current Licensable Activities	Variation Application
<p><b><u>(j) Supply of Alcohol for consumption ON the premises.</u></b></p> <p>Monday to Saturday 12:00 to 01:00am Sundays 12:00 to 11:00pm</p>	<p><b><u>(j) Supply of Alcohol for consumption ON and Off the premises.</u></b></p> <p>Monday to Saturday 08:00am – 01:00am Sunday 08:00am to 11:00pm None standard timing New Year's Eve until 03:00 on New Year's Day morning</p>
<p><b><u>(l) Hours premises are open to the public</u></b></p> <p>Monday to Sunday 00:00 – 00:00</p>	<p><b><u>(l) Hours premises are open to the public</u></b></p> <p>Monday to Sunday 00:00 to 00:00</p>

### 1.3 Variation application

The nature of the proposed variation is to extend the current Licensed hours to enable hotel guests (in particular but not limited to wedding/anniversary guests) to consume a drink earlier in the day if they wish to. Add Off sales to the licence - with a view to selling gift hampers of local/regional beverages – (No single cans as off sales). Remove/amend the condition in Annex 2 part 2 regarding "bar usage limited to hotel guests and their invited guests only." Changed to Guests, invited guests and non-residents. Move the bar 2.5 metres within the same area to allow for a better view of the reception area (and vice versa.)

1.3 Variation Application Operating Schedule (Appendix 1)

1.4 Copy of Existing Premises Licence and Plan PA0613 (Appendix 2)

1.5 New Plan (Appendix 3)

1.6 Cumulative Impact Policy

This application does not fall within an area to which the Cumulative Impact Policy applies.

## **2.0 RESPONSIBLE AUTHORITIES**

- 2.1 *Devon & Cornwall Police* – Have made representations relating to the prevention of crime and disorder and public nuisance which have since been withdrawn as the applicant has agreed additional conditions (Appendix 4).
- 2.2 *Environmental Health* – no representations
- 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 (ODPH)* – no representations.
- 2.9 *Licensing Authority* – no representations

## **3.0 OTHER PARTIES**

One representation has been received, attached to this report marked 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 with the following paragraphs relevant to this application: 1.2 – 1.5, 1.16 – 1.17, 2.1,2.3, 2.15 – 2.19, 2.21 9.3,9.11, 9.33 - 9.36, 9.38 – 9.40 and 10.10,
- the Council's own Licensing Policy with the following headed paragraphs being relevant to this application: Dispersal Policy (Page 12); Licensing Hours (Page 12), Responsible retailing for Off-Sales (pages 16 – 17), , Public Nuisance (Page 19), No Smoking Legislation (page 19), Licensing conditions (page 22)
- 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 (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)
2. Reject the whole or part of the application;

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.

## Appendix I

**Section 16 of 18****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)

List here steps you will take to promote all four licensing objectives together.

The Licensee at the hotel will make sure that there is sufficient, competent staff on duty at the hotel for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder.

The Licensee shall ensure that all staff are aware of their responsibilities in relation to the licensing objectives.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the police.

There is 24 hr recorded CCTV at the hotel, covering the bar, entrance/exits and reception lobby and police will have access to images at any reasonable time.

Alcohol will not be served to patrons who appear inebriated.

The hotel will not sell single can Off sales.

We have a policy on the safe management of large groups, i.e. hen and stag parties.

A secure area for customers personal belongings is available.

Snacks are available in the hotel during bar opening hours.

The hotel operates a proof of age policy - 'think 21' and will ask to see adequate identification.

c) Public safety

We have had a suitable Fire Risk Assessment carried out at the premises by an external company (Ace Fire & Security) and implemented the necessary control measures.

***Continued from previous page...***

All exit doors are easily operable without the use of a key, card, code or similar means.

Curtains, Hangings and temporary decorations are located so as not to obstruct exits, fire safety signs or fire fighting equipment.

Free drinking water will be available at all times, when the premises is open to the public.

The hotel has a 'no smoking policy' indoors, throughout the hotel.

The hotel has a dedicated 'smoking area' to the left of the property on a patio area, where smoking bins are located and emptied regularly.

Seats are available to accommodate 50-100% of the maximum capacity of the premises.

There is 24 hr recorded CCTV at the hotel, covering the bar, entrance/exits and reception lobby and police will have access to images at any reasonable time.

Emergency lighting is installed and regularly maintained.

The hotel has a current N.I.C.E.I.C Electrical Installation report, performed by a qualified contractor. An inspection report is carried out every 5 years and a new report will be obtained each time.

The hotel has a current and suitable Public Liability insurance.

Portable electrical devices at the hotel are P.A.T tested annually by a qualified contractor.

The fire alarms at the hotel are tested weekly. Records of these are available on request.

There will always be a staff member to give or arrange first aid at the hotel.

Staff members at the hotel are aware of the location of the nearest defibrillator to the hotel.

The hotel operates a proof of age policy - 'think 21' and will ask to see adequate identification.

## d) The prevention of public nuisance

There is 24 hr recorded CCTV at the hotel, covering the bar, entrance/exits and reception lobby and police will have access to images at any reasonable time.

All windows facing the street at the front of the building are double glazed and the majority of other windows around the building are also double glazed to minimise the breakout of noise.

All entrances and exits have a lobby to minimise the breakout of noise.

Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and leave the premises quietly.

All external lighting is directed away from adjacent occupiers.

The premises has a waste contract with 'Devon Contract Waste Limited' who remove waste.

Staff undertake a litter pick regularly to a distance of 1.5 meters around the premises.

OFFICIAL



**Continued from previous page...**

The hotel operates a proof of age policy - 'think 21' and will ask to see adequate identification.

Alcohol will not be served to patrons who appear inebriated.

The hotel will not sell single can Off sales.

e) The protection of children from harm

Any incidents of a criminal nature that may occur on the premises will be reported to the police.

There is 24 hr recorded CCTV at the hotel, covering the bar, entrance/exits and reception lobby.

The hotel operates a proof of age policy - 'think 21' and will ask to see adequate identification and a register of refused sales shall be kept and maintained on the premises.

There is 24 hr recorded CCTV at the hotel, covering the bar, entrance/exits and reception lobby.

The hotel has a policy where no unaccompanied children are to be left unaccompanied within the hotel at any time.

The hotel will not accept bookings of rooms from any persons under the age of 18.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

## Appendix 2

Licensing Act 2003

**Premises Licence****PA0613****Local Authority****Public Protection Service**

Licensing Unit  
 Plymouth City Council  
 Windsor House  
 Plymouth, PL6 5UF  
 Tel: 01752 304141 Fax: 01752 226314  
 Email: Licensing@plymouth.gov.uk

## Part 1 - Premises Details

**POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION****Craft House, The**

5 Elliot Street, The Hoe, Plymouth, Devon, PL1 2PP.

Telephone 01752 215971

**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

**LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE**

- the sale by retail of alcohol

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES**

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON the premises only	Monday to Saturday	12:00	01:00
	Sunday	12:00	23:00

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday to Sunday	00:00	00:00

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- M. The sale by retail of alcohol for consumption ON the premises only

## Part 2

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Pretarchi Limited  
[irblack@hotmail.co.uk](mailto:irblack@hotmail.co.uk)

6 Houndiscombe Road, Plymouth, Devon, PL4 6HH.  
 Telephone 07792378964

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

Pretarchi Limited

08878390



Licensing Act 2003  
**Premises Licence**

**PA0613**

**Local Authority**



**Public Protection Service**

Licensing Unit  
 Plymouth City Council  
 Windsor House  
 Plymouth. PL6 5UF  
 Tel: 01752 304141 Fax: 01752 226314  
 Email: Licensing@plymouth.gov.uk

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Ian Robert FALEY-BLACK

5 Elliot Street, Plymouth, Devon, PL1 2PP  
 Telephone 07792378964

**PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL**

Licence No. PL13827

Issued by Plymouth

**ANNEXES**

**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.

**ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE**

**Steps taken to promote the four Licensing objectives**

1. All hotel guests have to sign registration document.
2. Bar usage limited to hotel guests and their invited guests only.
3. 24 hrs CCTV recorded coverage of Hotel entrance and bar area.
4. All hotel customers are provided with procedures to be used in case of evacuation.
5. Fire alarm systems installed, inspected and approved by fire department.
6. Number of users of bar at any time limited to 40.
7. No alcohol will be served to those who appear inebriated.
8. Please leave quietly, notices to be placed at the door.
9. Anyone unaccompanied by parent or guardian, who appears to be under 21 will be required certifiable ID that they are over 18.

**ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY**

None.

**ANNEX 4 - PLANS**

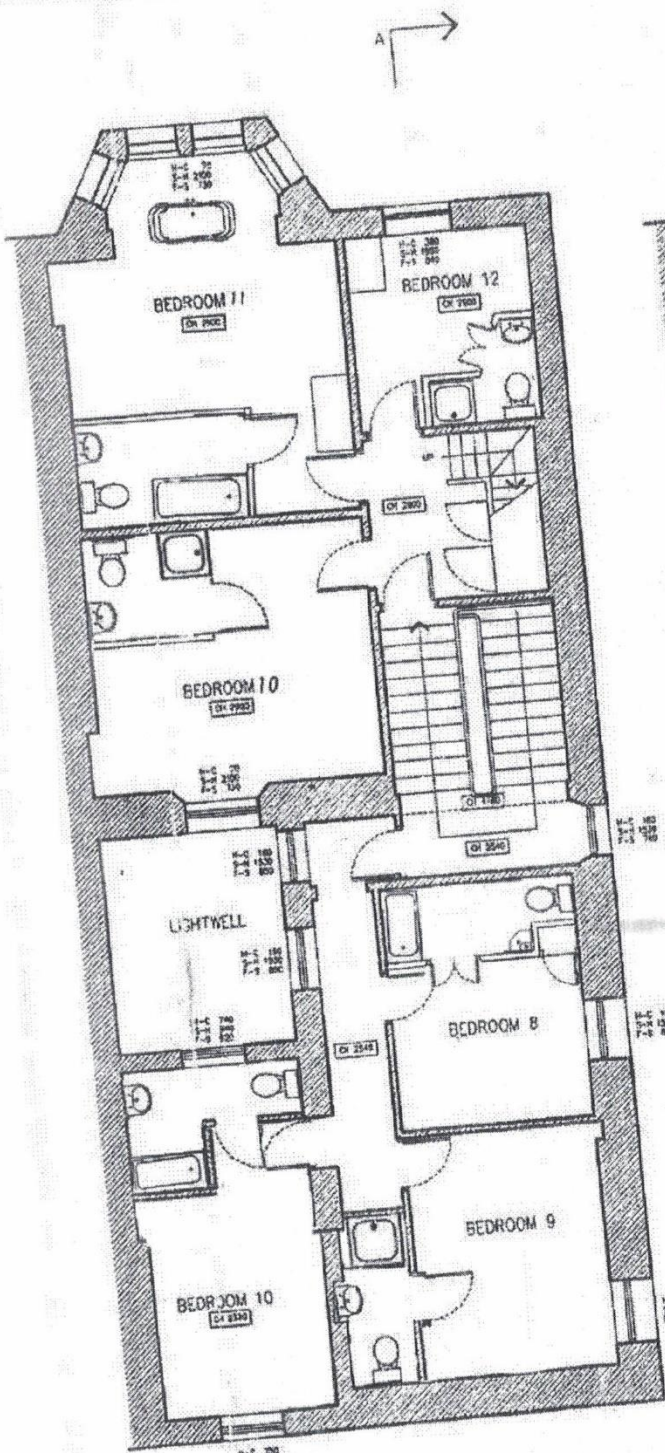
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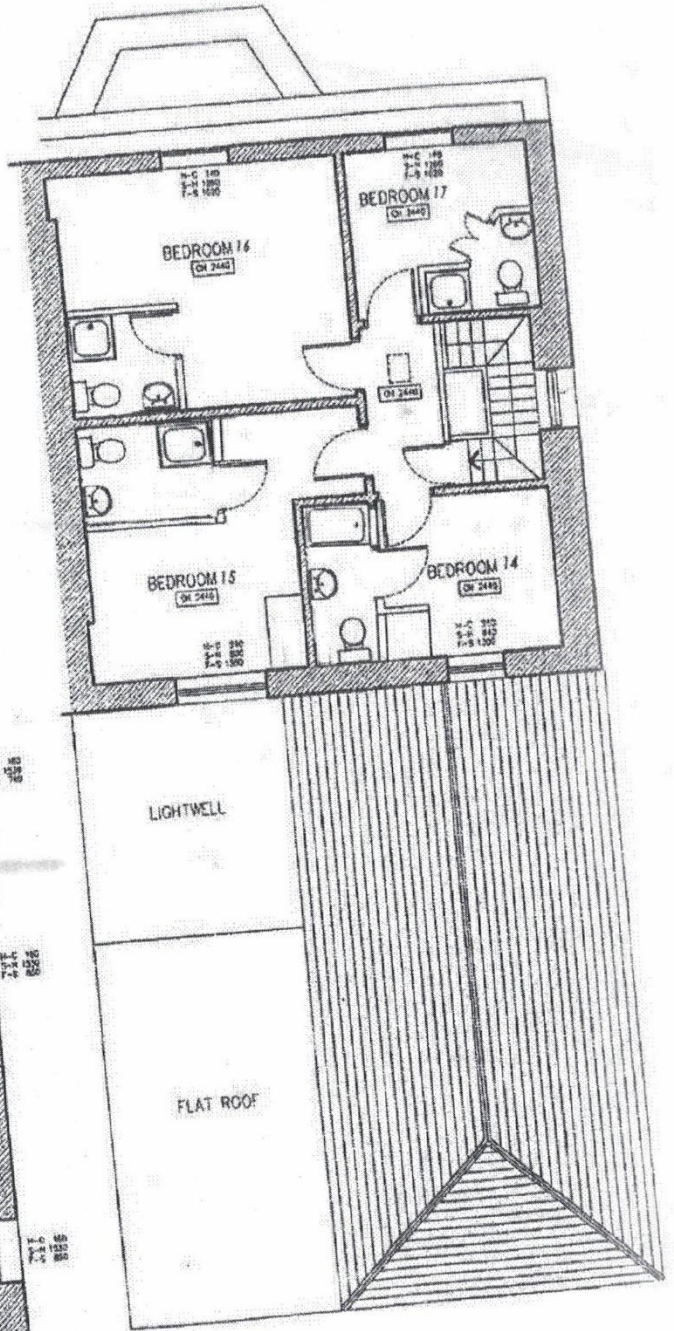




Appendix 3

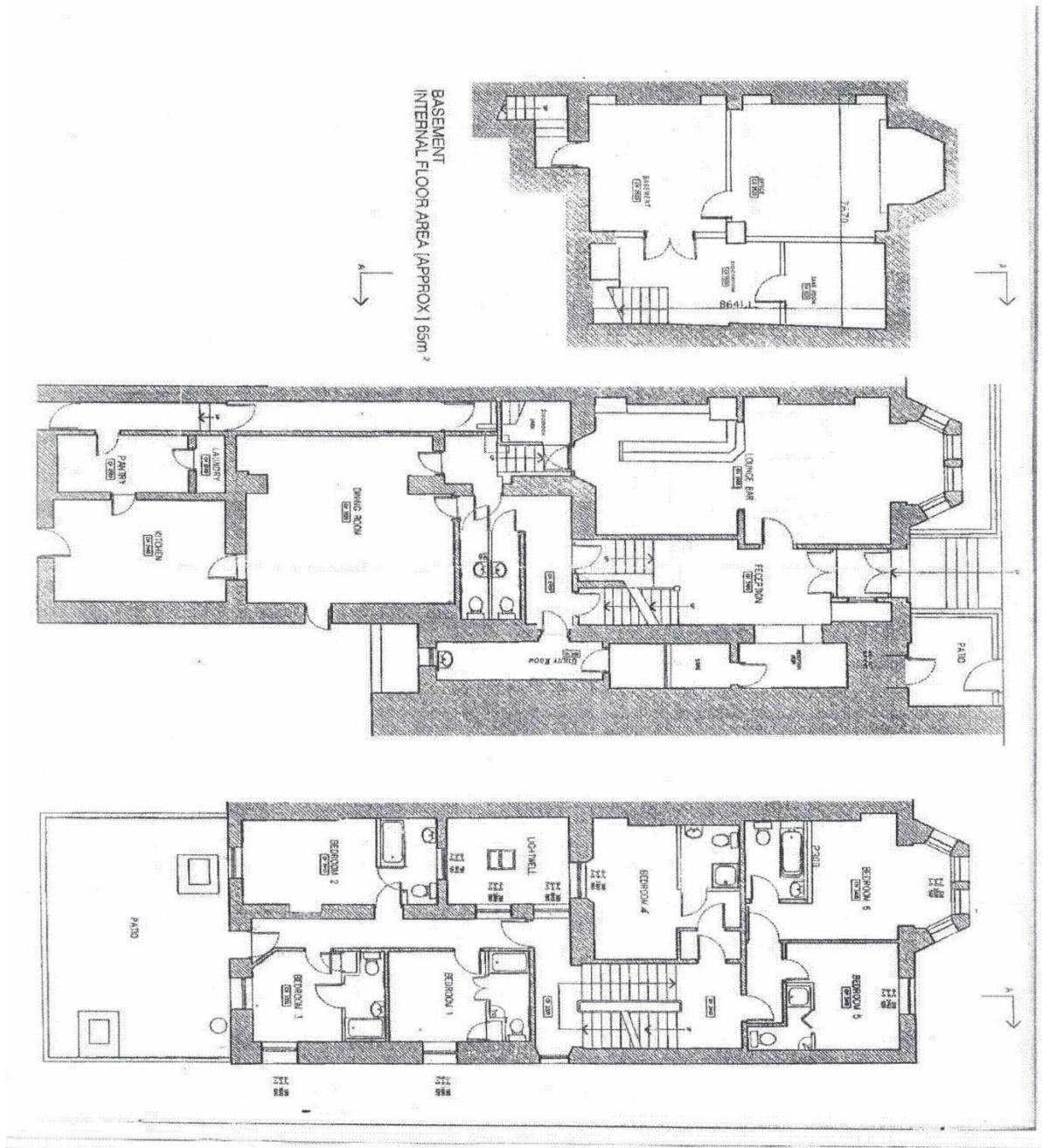


SECCND FLOOR LAYOUT PLAN  
INTERNAL FLOOR AREA [APPROX] 134m<sup>2</sup>



THIRD FLOOR LAYOUT PLAN  
INTERNAL FLOOR AREA [APPROX] 60m<sup>2</sup>







The Craft House  
5 Elliot Street.  
The Hoe  
Plymouth PL1 2PP

Prevention of Crime and Disorder.

#### Management Controls

1. All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions.
2. Training shall be recorded in documentary form and those records will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12months.
3. All staff shall be trained in the requirements of the Challenge 25 policy. Training shall be recorded in documentary form and those records will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12months.
4. An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident. The incident book shall be available for inspection at all reasonable times by an authorised officer of the relevant responsible authority. The records will be retained for at least 12 months.
5. All staff shall be suitably trained in the operating procedures for refusing service to any person who is drunk or is under-age or appears to be under-age. Training shall be recorded in documentary form and those records will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 12 months.

#### CCTV

1. The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises..
3. Images shall be retained for a minimum of 28 days.
4. The CCTV system shall be capable of downloading images to a recognizable viewable format.

5. If the CCTV equipment breaks down the Designated Premises Supervisor, or in his/her absence other responsible person, informs the Licensing Authority or the Police as soon as is reasonably practicable.

#### Protection of Children from Harm

1. The Designated Premises Supervisor shall ensure that all bar staff, supervisors and managers are trained in the legality and procedure of alcohol sales, using the SWERCOTS on-line training pack OR equivalent, prior to undertaking the sale of alcohol and then at least every six months. Training shall be signed and documented and training records will be kept on the premises and be made available to an enforcement officer on request. The documentation relating to training should extend back to a period of three years and should specify the time, date and details of the persons both providing the training and receiving the training.
2. The Designated Premises Supervisor shall ensure that new bar staff, supervisors and managers receive induction in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. Training shall be signed and documented and training records be made available to an enforcement officer on request.



# 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

1.

Name of applicant (if known) The Craft House

Premises name and address Elliot Street, Plymouth

Postcode PL1 2PP

2.

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

4.  Application for a new premises licence

5.  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

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 Address
 

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---

 Postcode
 

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 Email
 

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 Telephone
 

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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

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Address

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 Postcode
 

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I am

Representative of residents association  Representative of trade/business association

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Ward Councillor

Other (please specify)

---

MP

neighbour

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### 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 "1 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

While I appreciate that hotels have a bar for residents my concern is around the potential noise during the night and early hours if permission is given for off sales for non-residents until 1am. There is no suitable outside space for smokers and they congregate outside the main entrance on Elliot Street and opposite a number of flats so there is the potential for noise disturbance at all hours and it is not reasonable to expect residents to have to put up with this. They certainly should not be permitted to bring drinks outside onto the street and off sales could mean people are entering and leaving more frequently causing more noise and litter in the area. If the intention is to hold events until the early hours then further nuisance will be caused if non-residents attend and leave on foot or in cars. We already have to put up with shouting and noise when groups leave The Hoe after a BBQ or drink session late at night in the summertime especially. I would seek some assurances that there will be no such impact on what is a residential area and also that if there are to be late night events no adverse noise from loud music or singing etc..

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**The protection of children from harm**

For example underage sales, exposure to certain performances

I \_\_\_\_\_, hereby declare that all information I have submitted is true

and correct.

Signed Date 6/12/2021

**Please note:**

If you do not want your personal details to be released then you will need to provide good reason for this information to be withheld, for example the fear of intimidation or violence.

***Please send the completed form to***

Licensing Department  
Windsor House  
Plymouth. PL6 5UF

T: 01752 668000 E: [licensing@plymouth.gov.uk](mailto:licensing@plymouth.gov.uk)