

# MEDIATION REPORT

Licensing Committee



Date:	11 December 2023
Title of Report:	Information regarding delegated decisions for applications for the grant or variation of premises licences
Lead Member:	Councillor Sue Dann (Cabinet Member for Customer Service, Leisure and Sport Customer Services, Sport, Leisure and Human Resources and Organisation Development)
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:	Mediation Report
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 or 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.

**Unlocking the City's Potential:** 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.

**Caring for People and Communities:** 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](#)

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

Not applicable

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**Financial Risks**

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 – August 2023](#)**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)							

**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	HLS2 7112 32	Leg	IW – 2668  20.11. 23.	Mon Off		HR		Assets		Strat Proc	
Originating Senior Leadership Team member: Ruth Harrell											

Please confirm the Strategic Director(s) has agreed the report? Yes  
Date agreed: 27/11/2023.

Cabinet Member approval: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria) approved by email.  
Date approved: 27/11/2023

## **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*

<b>Premises Name</b>	<b>Premises Address</b>	<b>Ward</b>
Morley Arms	4 Bilacombe Road	Plymstock Radford
Royal British Legion	41 Market Road	Plympton Erle
Chancel	2 St Andrews Street	St Peter and the Waterfront
TimberVault	12 Derrys Cross	St Peter and the Waterfront
Hallpass	2 Union Street	St Peter and the Waterfront
Dawstep Sandwiches	34-36 North Hill	Drake
Rosie Leighs	38-40 Malborough Street	Devonport
Yun's Chinese	11 Commercial Wharf	St Peter & The Waterfront
Vault 53(Mutley Distillery)	53 Mutley Plain	Compton
Block Plymouth	Melville Building, Royal William Yard	St Peter & Waterfront
Spinners	Unit 12 The Barcode	St Peter & Waterfront
Goodbodys Café	R/O 49 Mutley Plain	Compton
Franco Manca	Unit 2 The Barcode	St Peter & Waterfront
Prime Skatepark	23 Commercial Road	Sutton & Mount Gould
Cosmic Kitchen	Palace Street	St Peter & Waterfront

### 2.2 *Devon & Cornwall Police*

<b>Premises Name</b>	<b>Premises Address</b>	<b>Ward</b>
Morley Arms	4 Bilacombe Road	Plymstock Radford
Royal British Legion	41 Market Road	Plympton Erle
Chancel	2 St Andrews Street	St Peter and the Waterfront
TimberVault	12 Derrys Cross	St Peter and the Waterfront
Plymouth Snooker Academy	Unit 7, 21 Burrington Way	Ham
Fig and Thyme	58 Southside Street	St Peter and the Waterfront
Early Bird Café	34 Mayflower Street	St Peter and the Waterfront
Sizzling Grill	52 Notte Street	St Peter and the Waterfront
Jolly Jacks	Mayflower Marina	Devonport
Dawstep Sandwiches	34-36 North Hill	Drake
Rosie Leighs	38-40 Malborough Street	Devonport
Yun's Chinese	11 Commercial Wharf	St Peter & The Waterfront
Vault 53(Mutley Distillery)	53 Mutley Plain	Compton
Goodbodys Café	R/O 49 Mutley Plain	Compton
Prime Skatepark	23 Commercial Road	Sutton & Mount Gould
Cosmic Kitchen	Palace Street	St Peter & Waterfront
The Terrace	74 Madeira Road	St Peter & The Waterfront
Boom Battle Bar	Unit 6 The Barcode	St Peter & Waterfront
Papa Johns	35 Mutley Plain	Compton
Fireaway Pizza	49 Mutley Plain	Compton

Spar	41a North Hill	Drake
Koala Karlous	101 Lawrence Road	Plymstock Radford
Veg Patch Bistro	73C Mutley Plain	Compton
Wonda African Food Stores	9/11 Market Way	St Peter and Waterfront
Hedgerow Hound	Stalls 1-5 Plymouth Market	St Peter & Waterfront
Plymouth's Winter City	Treeby Court	Sutton and Mount Gould
TimberVault	12 Derrys Cross	St Peter & Waterfront
Franco Manca	Unit 2 The Barcode	St Peter & Waterfront

2.3 *Devon & Somerset Fire & Rescue Service*

2.4 *Trading Standards*

2.5 *Planning Officer*

2.6 *Child Protection*

2.7 *Health & Safety Executive*

2.8 *Health Authority (ODPH)*

2.9 *Licensing Authority*

Prime Skatepark	23 Commercial Road	Sutton & Mount Gould
Spar	41a North Hill	Drake

### 3.0 **CONSIDERATIONS**

3.1 Paragraphs 9.31 and 9.32 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 November 2022 until 31 October 2023 and this report is submitted for the information of the committee.