

# MEDIATION REPORT

Licensing Committee



Date:	02 December 2024
Title of Report:	Information regarding delegated decisions for applications for the grant or variation of premises licences
Lead Member:	Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Events, Cemeteries & Crematoria)
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

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**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 – December 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)							
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	HS.24. 25.26	Leg	CM 22.11. 2024  4198	Mon Off	Click here to enter text.	HR	Click here to enter text.	Assets	Click here to enter text.	Strat Proc	Click here to enter text.
Originating Senior Leadership Team member: Ruth Harrell											
Please confirm the Strategic Director(s) has agreed the report? Yes Date agreed: 21/11/2024											
Cabinet Member approval: Councillor Sally Haydon (Cabinet Member for Community Safety, Libraries, Cemeteries & Crematoria) approved by Email Date approved: 21/11/2024											

## 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><u>Premises</u></b>	<b><u>Address</u></b>	<b><u>Ward</u></b>	<b><u>Application Type</u></b>
Bar Koda	1 Old Town Street	St Peter & Waterfront	Grant
Café and Bistro Tio Leo	17 Bishops Place	St Peter & Waterfront	Grant
Chaddlewood Farm Comm. Centre	80 Glen Rd	Plympton Chaddlewood	Variation
Fever and Boutique	33 Derrys Cross	St Peter & Waterfront	Variation
Giga's	12-14 Devonport Road	Stoke	Variation
Green Taverners Mayflower Quarter Marquee	Home Park	Peverell	Grant
MacPherson Motorcycles	9 The Parade	St Peter & Waterfront	Grant
Mayflower Quarter Fan Park	Home Park	Peverell	Grant
Octagon Brewery	4-8 Sawrey Street	St Peter & Waterfront	Grant
Olive and Twist	7-9 Old Town Street	St Peter & Waterfront	Grant
Plymouth Cricket Club	51 Discovery Road	Devonport	Grant
St Levan Inn	251 St Levan Road	Stoke	Grant
The Funky Panda	5 Old Town Street	St Peter & Waterfront	Grant
The Ship	The Quay	St Peter & Waterfront	Variation
Vault72	72 Mutley Plain	Compton	Variation

### 2.2 *Devon & Cornwall Police*

<b><u>Premises</u></b>	<b><u>Address</u></b>	<b><u>Ward</u></b>	<b><u>Application Type</u></b>
33a Derry's Cross	Derrys Cross	St Peter & Waterfront	Grant
A Farm Pizza	66 Ridgeway	Plympton Erle	Grant
Aldi	8 Bravo Way	Moor View	Grant
Amore Hair	GF Unit, Dolphin House, Sutton Wharf	St Peter & Waterfront	Grant
Bevans	42-44 Station Road		Grant
Café and Bistro Tio Leo	17 Bishops Place	St Peter & Waterfront	Grant
Chaddlewood Farm Comm. Centre	80 Glen Rd	Plympton Chaddlewood	Variation

Continue Arcades	4-6 Royal Parade	St Peter and Waterfront	Grant
Corner Shop	47/49 Marlborough Street	Devonport	Variation
Dimpsy's Diner	111 Mayflower Street	St Peter & Waterfront	Grant
Food 4 You	79 North Hill		Grant
Giga's	12-14 Devonport Road	Stoke	Variation
Green Taverners Mayflower Quarter Marquee	Home Park	Peverell	Grant
Home Bargains	Unit 1, 145 Plymouth Road	Plympton Erle	Grant
Honicknowle Service Station	Crownhill Road	Honicknowle	Variation
Ivory Lounge	7 Whimble Street	St Peter & Waterfront	Grant
Majestic Wine Warehouses LTD	17 William Prance Road	Moor View	Grant
Marks & Spencer Simply Food	1 BravoWay	Moor View	Grant
Mayflower Quarter Fan Park	Home Park	Peverell	Grant
Octagon Brewery	4-8 Sawrey Street	St Peter & Waterfront	Grant
Papa Johns	35 Mutley Plain	Compton	Grant
Pickle Deli	21 Mutley Plain	Compton	Grant
Pizza Hot	67 Ebrington Street	St Peter & Waterfront	Grant
Ridgeway Grill	79b Ridgeway	Plympton St Mary	Grant
Sandford and Down	24 Pier Street	St Peter & Waterfront	Grant
Seymour Store	5 Seymour Road	Plympton St Mary	Grant
Smashland Burgers	12 Commercial Wharf	St Peter & Waterfront	Grant
Spar Eggbuckland	6-8 Eggbuckland Rd	Compton	Grant
St Levan Inn	251 St Levan Road	Stoke	Grant
The Funky Panda	5 Old Town Street	St Peter & Waterfront	Grant

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*

<b>Premises</b>	<b>Address</b>	<b>Ward</b>	<b>Application Type</b>
Bar Koda	1 Old Town Street	St Peter & Waterfront	Grant
St Levan Inn	251 St Levan Road	Stoke	Grant
The Ship	The Quay	St Peter & Waterfront	Variation

### 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 2023 until 31 October 2024 and this report is submitted for the information of the committee.