

PREMISES LICENCE GRANT REPORT

Licensing Sub Committee



Date:	13 November 2025
Title of Report:	Grant of Premises Licence
Lead Member:	Councillor Sally Hayden (Cabinet Member for Community Safety, Libraries, Cemeteries and Crematoria)
Lead Strategic Director:	Professor Steve Maddern (Office of the Director of Public Health)
Author:	Bev Gregory (Licensing Officer)
Contact Email:	Licensing@plymouth.gov.uk
Your Reference:	The Flower Cafe
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of the report:

An application has been received from The Flower Café Ltd in respect of The Flower Café, 46 Southside Street, Plymouth, PL1 2LD for the Grant of a premises licence under Section 17 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.

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](#)

Implications for Medium Term Financial Plan and Resource Implications:

Not applicable

Financial Risks

Not Applicable

Legal Implications:

(Provided by Ian Wills)

No legal implications for the report

Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendations

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

* 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 – February 2025](#)

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 title							
B	Operating Schedule (Appendix A)							
C	Plan of Premise (Appendix B)							
D	Location Plan (Appendix C)							
E	Conditions agreed with Police (Appendix D)							

F	Representations (Appendix E - G)							
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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
Application							

Sign off:

Fin	N/A	Leg	IW 23.10.25 5363	Mon Off	N/ A	HR	N/A	Asset s	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: N/A											
Please confirm the Strategic Director(s) has agreed the report? N/A											
Date agreed: N/A											
Cabinet Member approval: N/A											
Date approved: N/A											

1.0 INTRODUCTION

1.1 On 19th September 2025 the licensing department received an application from The Flower Café Ltd for the Grant of a Premises Licence under Section 17 Licensing Act 2003 in respect of The Flower Café situated at 46 South Side Street, Plymouth, PL1 2LD

1.2 Grant application.

The Flower Café is a family-owned business located in the heart of the Plymouth Barbican. They currently offer a range of hot and cold beverages along with a selection of cakes, sandwiches and a small range of hot food. There are up to 28 covers seated inside and an additional 12 in a small courtyard garden. They currently sell afternoon teas and would like to offer these with an alcohol option.

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

<u>(j) Supply of Alcohol for consumption ON the premises</u>
Monday to Sunday 10:00hrs to 20:00hrs
<u>(l) Hours Premises are Open to the Public</u>
Monday to Sunday 10:00hrs to 20:00hrs

1.4 The applicant has submitted an Operating Schedule (Appendix A).

1.5 Site plan supplied by applicant. (Appendix B).

1.6 Site location of premises (Shop front and area plan) (Appendix C).

1.7 Representations have been received in respect of this application. (Appendix E to G)

1.8 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the application were granted. However, before the Licensing Authority can lawfully consider giving effect to this policy there must be a relevant representation from either a responsible authority or an interested party referring to information which was before the Licensing Authority when this special policy was developed.

2.0 RESPONSIBLE AUTHORITIES

- 2.1 *Devon & Cornwall Police* – no representation was received as the Police agreed conditions with the applicant. The agreed conditions are at Appendix D
- 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 *Public Health Authority (ODPH)* – no representations.
- 2.9 *Licensing Authority* – no representations.
- 3.0 *Home Office (Immigration Enforcement)* - no representations.

4.0 OTHER PARTIES

Representations have been received that are attached to this report marked Appendix E to G.

5.0 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, 2.21 – 2.25, 8.43, 9.3, 9.31-9.36, 9.38 – 9.40, 10.10 and 14.39 – 14.43.
- the Council's own Licensing Policy with the following headed paragraphs being relevant to this application: Cumulative Impact Assessment (Page 8), Licensing Objectives (Page 11 and

12), Public Safety (Page 11) Public Nuisance (Page 12 and 22), Licensing hours (Page 14), Licensing conditions (page 27) the representations (including supporting information) presented by all the parties.

- The Council's own Cumulative Impact Assessment document

The Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the licence as applied for subject to:
 - a. The conditions consistent with the operating schedule (modified* as considered appropriate for the promotion of the Licensing Objectives),
 - b. The mandatory conditions under sections 19, 20 and 21 of the Act, and
 - c. Any other conditions considered appropriate for the promotion of the licensing objectives

* modified includes altering, omitting or adding to them

1. Grant the licence as above but exclude any of the licensable activities detailed on the application from the licence
2. Refuse to specify a designated premises supervisor
3. Reject 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 A

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)

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Continued from previous page...

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

To promote all four licensing objectives—prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm—I will implement strong staff training on policies, manage noise and waste, and ensure a safe environment for children and the public. These steps, when applied together, demonstrate a comprehensive approach to responsible management and adherence to licensing requirements.

b) The prevention of crime and disorder

Establish a procedure for reporting any criminal activity on the premises immediately to the Police.
Engage with local communities and authorities by participating in initiatives like Pub Watch meetings, which help prevent crime and disorder.
Consider installing a CCTV system capable of capturing clear, identifiable images of everyone entering and exiting the premises.

c) Public safety

Perform thorough risk assessments, including health and safety risk assessments, and implement measures to control identified risks.
Ensure a fire risk assessment is completed and regularly reviewed, and that appropriate fire safety measures are in place.
Schedule deliveries and rubbish collections within recommended hours, and regularly clean any litter from the premises and its immediate surroundings.

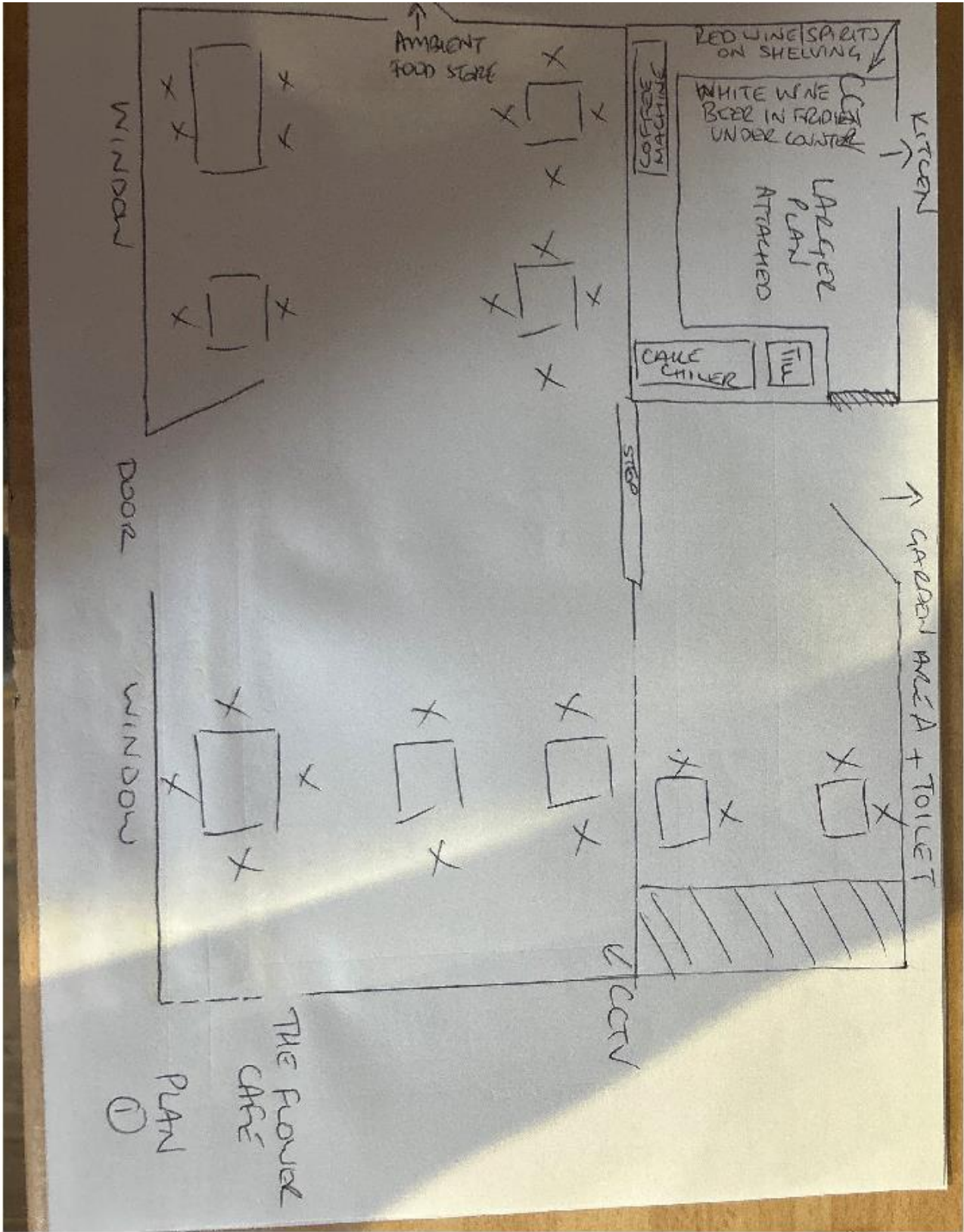
d) The prevention of public nuisance

Implement measures to prevent noise from the premises and manage litter, such as regular cleaning around the premises.
Establish a customer code of conduct and ensure it is clearly displayed, warning customers against inappropriate behaviour and being considerate to our neighbours.
Implement a policy to prevent customers from taking open bottles or cans outside the premises to avoid public nuisance.

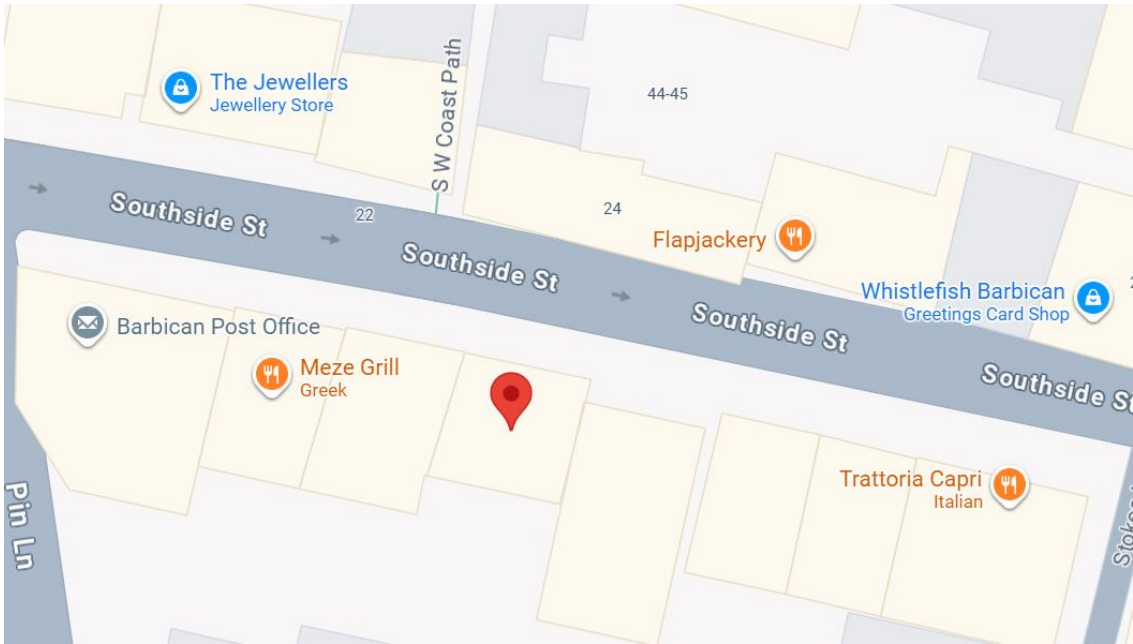
e) The protection of children from harm

Implement a strict "Challenge 25" policy, asking for ID from anyone who appears to be under 25 to prevent underage alcohol sales.
Clearly display any restrictions on the admission of children to the premises.
Maintain vigilance against the sale and use of illegal drugs on the retail premises.

APPENDIX B



APPENDIX C



APPENDIX D

Good afternoon.

In relation to the business known as THE FLOWER CAFÉ, 46 SOUTHSIDE STREET, PLYMOUTH. PL1 2LD.

I have mediated with the applicant, and we have agreed to the below conditions for the premise.

1. All staff engaged in licensable activity at the premises will receive training and information in relation to the following:

i. The Challenge 25 scheme in operation at the premises, including the forms of identification that are acceptable.

ii. The hours and activities permitted by the premises license issued under the Licensing Act 2003 and conditions attached to the licence.

iii. How to complete and maintain the refusal register in operation at the premises. (In relation to the sale of alcohol).

iv. Recognising the signs of drunkenness.

v. The operating procedures for refusing service to any person who is drunk, under-age or appears to be under-age, or appears to be making a proxy purchase.

vi. Action to be taken in the event of an emergency, including reporting an incident to the emergency services.

2. Training shall be recorded in documentary form and shall be regularly refreshed at no greater than 6-month intervals. Training records shall be made available for inspection and copying at reasonable times upon request of an authorised officer of a responsible authority.

3. Training records will be retained for at least 12 months.

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.

5. No open vessels containing alcohol shall be removed from the premises

6. The premises licence holder must remain vigilant against any nuisance being caused. Taking any necessary precautions.

7. The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.

Thank you

Elaine WILSON Elaine 30319
Police Alcohol Licensing Officer
Plymouth

Appendix E

To:

Office of the Director of Public Health
Head of Public Protection Service
Plymouth City Council
Ballard House
West Hoe Road
Plymouth
PL1 3BJ

Date: 12th October 2025

Objection to Premises Licence Application – The Flower Café Ltd, 46 Southside Street,
Plymouth PL1 2LD

Dear Licensing Team,

I am writing to formally object to the alcohol premises licence application submitted for:

The Flower Café at 46 Southside Street, Plymouth PL1 2LD by The Flower Café Ltd

Application Reference: 102723

I am the freehold landlord and legal owner of the building in which the premises are located. It is a mixed-use property comprising both commercial and residential units. I also manage tenanted residential units in the building.

Grounds for Objection

I wish to raise objections under the following licensing objectives:

1. Prevention of Public Nuisance

- The sale of alcohol, especially during extended evening hours, will likely lead to increased noise, disturbances, and anti-social behaviour affecting residents of the building — particularly those in the flats directly above and adjacent to the premises.
- The building has 2 residential units, including elderly occupants. Noise from patrons, delivery vehicles, and waste disposal late at night is already a concern and would be exacerbated by an alcohol licence.

2. Public Safety

- The mixed-use nature of the property poses potential conflicts between residential quiet enjoyment and commercial activity, particularly if alcohol consumption leads to loitering, intoxication, or incidents in shared spaces (e.g., building entrances, stairwells).
- There are shared access points that may be used both by residents and customers, creating a risk to the safety and security of tenants.

Additional Concerns

- The terms of the tenant's lease include the following clauses, which do not permit the sale of alcohol without the express written consent of the landlord, which has not been granted.
 - 30.1 The Tenant shall not use the Property for any purpose other than the Permitted Use.
 - 30. 7 The Tenant shall not allow any noise, music, flashing lights, fumes or smells to emanate from the Property so as to cause a nuisance or annoyance to any other tenants or occupiers of the Building or any neighbouring property
 - 30.8 The Tenant shall not use the Property for any illegal purposes nor for any purpose or in a manner that would cause loss, damage, injury, nuisance or inconvenience to the Landlord, the other tenants or occupiers of the Building or of any neighbouring property.
- Granting the licence could also encourage breach of lease, potentially resulting in legal disputes or enforcement proceedings.

Request

I respectfully request that the licensing authority:

- Reject the application in its current form due to the significant risk of harm to residents and breach of licensing objectives.
- Alternatively, impose strict conditions on trading hours, alcohol service, and noise control, and prohibit use of external spaces.

I would appreciate the opportunity to attend and speak at the licensing hearing should one be scheduled.

Please confirm receipt of this representation and advise me of the next steps.

Yours faithfully,

Appendix F

To:

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Head of Public Protection Service
Plymouth City Council
Ballard House
West Hoe Road
Plymouth
PL1 3BJ

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Dear Licensing Team,

I am writing to formally object to the alcohol premises licence application submitted for:

The Flower Café at 46 Southside Street, Plymouth PL1 2LD by The Flower Café Ltd

Application Reference: 102723

I am a tenant of a flat building in which the premises are located. It is a mixed-use property comprising both commercial and residential units.

Grounds for Objection

I wish to raise objections under the following licensing objectives:

1. Prevention of Public Nuisance

- The sale of alcohol, especially during extended evening hours, will likely lead to increased noise, disturbances, and anti-social behaviour affecting me and other residents of the building as we reside in the flats the premises.
- The building has 2 residential units. Noise from patrons, delivery vehicles, and waste disposal late at night is already a concern and would be exacerbated by an alcohol licence.

2. Public Safety

- The mixed-use nature of the property poses potential conflicts between residential quiet enjoyment and commercial activity, particularly if alcohol consumption leads to loitering, intoxication, or incidents in shared spaces (e.g., building entrances, stairwells).

- There are shared access points that may be used both by residents and customers, creating a risk to my safety and security.

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Appendix G

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Head of Public Protection Service
Plymouth City Council
Ballard House
West Hoe Road
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PL1 3BJ

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