

## CITY OF PLYMOUTH

**Subject:** Information regarding delegated decisions for applications for the Grant / Variation of Premises Licences and Club Premises Certificates.

**Committee:** Licensing Committee (Miscellaneous)

**Date:** 8 December 2009

**Cabinet Member:** Councillor Peter Brookshaw

**CMT Member:** Director of Community Services

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**Ref:** ERS/LIC/PREM

**Part:** I

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### **Executive Summary:**

Applications have been received from various premises within Plymouth for the Grant / Variation of a premises licence under Sections 17 and 34 or the Grant / Variation of a Club Premises Certificate under Schedule 8 and Section 84 of the Licensing Act 2003.

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### **Corporate Plan 2009- 2012:**

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

1. Informing and involving residents.
  2. Providing more and better culture and leisure activities.
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### **Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land**

Not applicable.

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**Other Implications: eg. Section 17 - Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.**

Members should be aware that Section 17 of the Crime 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.

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**Recommendations and Reasons for recommended action:**

That Members consider this report.

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**Alternative options considered and reasons for recommended action:**

None.

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**Background papers:**

Applications.  
Licensing Act 2003.  
Guidance issued under Section 182 Licensing Act 2003.  
Council's Licensing Policy.

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**Sign off:**

Head of Fin		Head of Leg		Head of HR		Head of AM		Head of IT		Head of Strat Proc	
Originating CMF Member											

## **1.0 BACKGROUND**

- 1.1 Since the 7<sup>th</sup> February 2005 applications have been received for the grant and variation of premises licences and club premises certificates. Some of these applications have received representations from responsible authorities or interested 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***

Boringdon Park Golf Club	Plymbridge Road
The Dairy	Bretonside
Counting House	St Andrew Street
Complex	Keyham Road
Barbican Steakhouse	Notte Street

### **2.2 *Devon and Cornwall Police***

Boringdon Park Golf Club	Plymbridge Road
Londis	Union Street
The Dairy	Bretonside
Counting House	St Andrew Street
Complex	Keyham Road
Albert Stores	Albert Road

### **2.3 *Trading Standards***

### **2.4 *Interested Parties***

Boringdon Park Golf Club	Plymbridge Road
Counting House	St Andrew Street

## **3.0 CONSIDERATIONS**

- 3.1 Section (9.19) 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 and this report is submitted for the information of the committee.