

## CITY OF PLYMOUTH

**Subject:** Seco Lounge Café / Bar, Units 12-14 Ground Floor, Mills Bakery, Royal William Yard, Plymouth.  
Variation of Premises Licence

**Committee:** Licensing Sub Committee (Miscellaneous)

**Date:** 5 April 2011

**Cabinet Member:** Councillor Michael Leaves

**CMT Member:** Director for Community Services

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**Key decision:** No

**Ref:** ERS/LIC/PREM

**Part:** I

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### **Executive Summary:**

An application has been received from Melrose Pubcare on behalf of Loungers Limited in respect of Seco Lounge Café / Bar, situated at Units 12-14 Ground Floor, Mills Bakery, Royal William Yard, Plymouth for the variation of the premises licence under Section 34 of the Licensing Act 2003.

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### **Corporate Plan 2011- 2014:**

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

1. Informing and involving residents.
  2. Improving 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 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.

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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:**

Application.

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	DJB/11223/ 15.03.11	Head of HR	Head of AM	Head of IT	Head of Strat Proc	
Originating CMF Member							

## 1.0 BACKGROUND

1.1 On the 11 February 2011 the licensing department received an application from Melrose Pubcare on behalf of Loungers Limited in respect of Seco Lounge Café / Bar, situated at Units 12-14 Ground Floor, Mills Bakery, Royal William Yard, Plymouth for the variation of an existing licence under Section 34 of the Licensing Act 2003.

### 1.2 Current Licensable Activities

<b><u>(l) Late Night Refreshment (Indoors)</u></b>	
Hours	
Thurs to Sat	23.00hrs to Midnight
<b><u>(m) Sale by Retail of Alcohol for consumption ON the premises.</u></b>	
Hours	
Mon to Wed	10.00hrs to 23.00hrs
Thurs to Sat	10.00hrs to Midnight
Sun	10.00hrs to 23.00hrs
<b><u>(o) Hours premises are open to the public</u></b>	
Hours	
Mon to Wed	08.00hrs to 23.30hrs
Thurs & Fri	08.00hrs to 00.30hrs
Sat	09.00hrs to 00.30hrs
Sun	09.00hrs to 23.30hrs

### 1.3 Variation application.

The nature of the proposed variation is;

This application is to permit alterations comprising an extension to the indoor trading space, construction of a new dispense bar, storage room, two new customer toilets and extension to the external seating area all as the plan attached.

Plan as existing (Appendix 1)

Plan as proposed (Appendix 2)

All existing licensable activities, hours and conditions to remain unchanged.

1.4 Representations have been received in respect of this application.

### 1.5 Cumulative Impact Policy

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

## 2.0 RESPONSIBLE AUTHORITIES

2.1 Environmental Health – have made representation relating to the

Prevention of Public Nuisance and Public Safety (Appendix 3)

2.2 *Devon & Cornwall Constabulary* – 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.

### **3.0 INTERESTED PARTIES**

7 - letters of representation have been received from residents living within the vicinity of the premises (Appendices 4 – 10).

### **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 and the Council's own Licensing Policy and the representations (including supporting information) presented by all the parties.

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

1. Modify the conditions of the licence
2. Reject the whole or part of the application;  
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.

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 necessary in order to promote the licensing objectives.