

## PLYMOUTH CITY COUNCIL

**Subject:** The Chip Stop, 31 Waterloo Street, Plymouth  
Grant of Premises Licence

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

**Date:** 13 December 2011

**Cabinet Member:** Councillor Michael Leaves

**CMT Member:** Director for Community Services

**Author:** Peter Clemens

**Contact:** 01752 305465  
e-mail: [licensing@plymouth.gov.uk](mailto:licensing@plymouth.gov.uk)

**Ref:** ERS/LIC/PREM

**Key Decision:** No

**Part:** 1

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### **Executive Summary:**

An application has been received from Mr Paul Smith in respect of the Chip Stop, 31 Waterloo Street, Stoke, Plymouth for the grant of a premises licence under Section 17 of the Licensing Act 2003.

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### **Corporate Plan 2011 – 2014:**

This report links to the delivery of the City and Council priorities. In particular:

1. Delivering Growth

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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: e.g. Community Safety, Health and Safety, Risk Management and Equality, Diversity and Community Cohesion:**

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 & 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.

**Sign off:**

Fin		Leg	SD.2 5/11 /11/ 1337 7	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											

## **1.0 Introduction**

1.1 On the 27 October 2011 the licensing department received an application from Mr Paul Smith for the grant of a premises licence under Section 17 of the Licensing Act 2003 in respect of the Chip Stop situated at 31 Waterloo Street, Stoke, Plymouth.

### **1.2 Grant application.**

Fish and chip takeaway located in a residential area with owner accommodation.

### **1.3 Licensable Activities.**

The following licensable activities and timings have been requested:

Supply of alcohol for consumption OFF the premises

Monday to Sunday 11am to 10pm

Hours premises open to the public

Monday to Sunday 11am to 10pm

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 *Devon & Cornwall Police* – no representations. The police made contact with the applicant who agreed to a number of conditions being attached to the licence as (Appendix 1). This is for information.

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.

## **3.0 INTERESTED PARTIES**

4 – letters of representation were received from residents living within the vicinity of the premises (Appendices 2 – 5).

## **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. Grant the licence as asked.
2. Modify the conditions of the licence, by altering or omitting or adding to them.
3. Reject the whole or part of the application.
4. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities.

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.

**Chip Stop Conditions to be attached to the Premises Licence.**

- Any person who looks or appears to be under the age of 21 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
  - [UK photo driving licence]
  - [Passport]
  - [PASS accredited cards]
- All staff employed at the premises shall be trained in the requirements of the Challenge 21 policies. The identification & recognition of drunks and the correct procedure to be followed when refusing service.
- The Licence Holder or nominated person shall ensure that staff, supervisors and managers are trained in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. Training shall be signed and documented and training records be made available to a member of any responsible authority on request.
- The Licence Holder shall ensure a sales refusal register is maintained to include details of all alcohol sales refused and the reason for refusal. The refusals register should be made available to any responsible authority on request.
- The training will be repeated at least every 4 months for all staff and will be recorded in documentary form that will be available for inspection at the time of request by a member of any responsible authority. The records will be retained for at least 12 months.

I accept the above conditions and that they will form part of the conditions of my premises licence.

Print name:- PAUL FRANCIS SMITH

Signature:-





Wellington Street  
Stoke  
Plymouth  
PL1

23/10/2011

To whom it may concern.

I am extremely concerned regarding the Chip Stop's application to sell off sales of alcoholic beverages and to extend the opening hours to 12 hours a day for 7 days a week. This premise is directly opposite where I live and I strongly object to the application

We already have a public house within 200 meters and another 2 public houses within 600 meters. We also have an off license within 800m all selling alcohol. This is after all a residential area.

The customers from the above premises cause a steady stream of anti social incidents and abusive behaviours when they have been drinking. I personally have had damage done to my property on several occasions due to drunken behaviours and even had 2 occasions when a drunken person has entered my property without permission in order to sleep it off. Furthermore we have also suffered damage to our car, with 3 smashed wing mirrors on 2 separate occasions, and 2 attempts at breaking and entry into the car... again due to drunken behaviours. This application to extend hours and include the sale of alcohol will only make this worse

As the Chip Stop is already popular we are also inundated with litter debris from the packaging and tins sold from the premises. Again this will only increase twofold.

We also are subjected to high levels of noise when the shop is open and this will surely increase with the extended opening hours combined with the sale of alcohol.

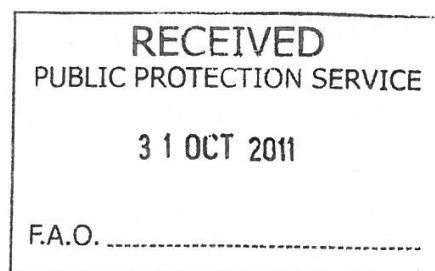
I have 2 disabled young people living with me who require calm and peaceful surroundings and not unruly behaviour due to alcohol premises being open until late at night and over the weekend. I strongly feel that this is not appropriate for a residential area especially as we are already so well provided with licensed premises in the immediate area.

Often when I or one my neighbours' return home after work we are unable to park our vehicles due to customers of the Chip Stop, parking to use the service. The extension of opening hours will make this a serious problem, especially at weekends when we often have friends and family members coming to visit.

I also feel that the local schools, primary secondary and also the college will be subjected to anti social behaviour from those drinking from the off sales of alcohol. This is not a good example to the many young children in the area.

Yours faithfully

26.10.11



WATERLOO ST  
STOKE  
PLYMOUTH  
PL1  
TE 01752

I am writing in reference to the notice in the evening herald and poster in the window of The Chip Stop at 31 Waterloo St, Stoke, for the application of Licence/Club Premises certificate.

We live [redacted] opposite to the Chip Stop at number [redacted] St. We are strongly against them getting this licence which will enable them to sell alcohol. This is a residential area and schools on our door step. Stoke damerrell primary and Devonport High, also the college on Kings road. This area is flooded with children & youths all of which use the Chip stop lunch times and evenings. We believe they do not need to see or be tempted by alcohol when buying lunch or evening meal. Apart from the young we already have trouble with parking in our street through college users, Chip Stop customers and Bakery customers in South hill, cars are coming and going all day. Weekends are the only time its mostly residents parking unless Plymouth Arsenal are playing and supporters park here.

We already have a public house in the street and there is an off licence at the top of the street on Devonport RD.

There is a number of public houses in Stoke Village and a number of alcohol outlets. Millbridge also has Alcohol outlet and pubs which is five minute walk away.

The chip Stop getting this licence would mean more traffic, cars coming and going on Sundays as well as the rest of the week would be terrible.

We cant put into words how strongly we are against this licence, we have spoken to a lot of the neighbours and they are of the same mind

yours sincerely

Waterloo St  
Stoke  
Plymouth  
PL1

3<sup>rd</sup> November 2011

RECEIVED  
PUBLIC PROTECTION SERVICE

08 NOV 2011

F.A.O. ....

To Whom It May Concern

I write with regard to the application made by the Chip Stop of 31 Waterloo St for the sale of alcohol for consumption off the premises.

The Chip Stop has never opened on the weekend whilst the present owner has been running the business. The Chip Stop is open weekday lunch times and evenings until 8.45. To allow the sale of alcohol from these premises from 11am-10pm weekdays and 11am-10pm on Sundays would have a most serious detrimental effect on the neighbourhood.

It is possible to purchase alcohol and other groceries from the late shop around the corner in Albert Rd and down the road at Millbridge not to mention the Coop in Stoke. Another outlet selling alcohol is totally unnecessary and could seriously impact on a quiet, respectable street.

I very much hope that this application is not approved.

**Clemens, Peter (DEVELOPMENT)**

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**From:**

**Sent:** 09 November 2011 13:01

**To:** Licensing (DEVELOPMENT)

**Subject:** Chip Stop Waterloo st

Further to my letter of the 4th November 2011. Regarding the proposed application for a licence to sell alcohol for consumption off the premises.

In this neighbourhood such a licence would create a public nuisance.

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PUBLIC PROTECTION SERVICE

08 NOV 2011

WATERLOO STREET  
STOKE  
PLYMOUTH PL1  
DEVON  
0175

1st November 2011

Head of Public Protection Service,  
Department for Development.

Dear Sir,

*ALCOHOLIC LICENCE*

This is to Object to a ~~Planning~~ Application (~~no registered number on the Application~~) made by the proprietor's of the chip shop known as Chip Stop to obtain a seven day a week, ~~seven~~ Alcohol Licence. The chip shop has been in service for 80 years it has never been open on Sunday's, and opened most ~~days during~~ week days even during the war, when the only times when they remained close was when there was no fish to sell. This chip shop is probably the oldest in Plymouth. During the last 20 years it has closed at 9 p.m.

I hope the Alcohol Licence will be refused, as many young people buy from this shop, and even if the proprietor was strict in selling only to those age 18 or over, there is no reason an 18 year old could not buy alcohol and then let his younger friends have it.

Alcohol is becoming the biggest scourge among young ~~people~~ people and I humbly hope the Licence is not granted.

To those who wish to buy alcohol to take home, or to consume on the premises There is Licenced Premises "The Waterloo" in Waterloo Street only 70 yards from the Chip Shop who are applying for a Alcoholic Licence

Thank You,

Yours sincerely,

*To Mr*

*Committee. ALCOHOLIC LICENCE*

*As applications I know, as*

*first is hard to go through*

RECEIVED  
PUBLIC PROTECTION SERVICE

03 NOV 2011

F.A.O. \_\_\_\_\_

PLANNING, AND INTERESTED IN PROTECTING CHILDREN  
FROM CONSUMING ALCOHOL.  
THANK YOU.

5.11.2011