

PLYMOUTH CITY COUNCIL

Subject: Las Iguanas, Units 3, 4 & 5 Brewhouse, Royal William
Yard, Plymouth
Grant of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 4 September 2012

Cabinet Member: Councillor Brian Vincent

CMT Member: Director of Place

Author: Peter Clemens

Contact: 01752 305465
e-mail: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM

Key Decision: No

Part: I

Executive Summary:

An application has been received from TLT Solicitors on behalf of Las Iguanas Limited in respect of Las Iguanas, Units 3, 4 & 5 Brewhouse, Royal William Yard, Plymouth for the grant of a premises licence under Section 17 of the Licensing Act 2003.

Corporate Plan 2012 – 2015:

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

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

Not applicable

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.

Recommendations & Reasons for recommended action:

That Members consider this report.

Alternative options considered and reasons for recommended action:

None.

Background papers:

Application.

Licensing Act 2003.

Guidance issued under Section 182 Licensing Act 2003.

Council's Licensing Policy.

Sign off:

Fin		Leg	SD/I 5446 /20.8 .12	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											

1.0 Introduction

1.1 On the 18 July 2012 the licensing department received an application from TLT Solicitors on behalf of Las Iguanas Limited for the Grant of a Premises Licence under Section 17 of the Licensing Act 2003 in respect of Las Iguanas situated at Units 3, 4 & 5 Brewhouse, Royal William Yard, Plymouth.

1.2 Grant application.

Bar and restaurant offering facilities for regulated entertainment, sale of alcohol and late night refreshment.

1.3 Licensable Activities.

The following licensable activities and timings have been requested:

(e) Live Music (Indoors)

Hours

Monday to Saturday 7pm to 10pm

Sundays 2pm to 10pm

Occasional live acoustic and amplified music usually of a Latin American type by groups and solo artists by no more than 2 performers.

Non Standard Timings

Extend the finish time until 1am the morning following New Years Eve and every Bank Holiday Sunday.

(f) Recorded Music (Indoors)

Hours

Monday to Thursday 7pm to 10pm

Friday and Saturday 7pm to Midnight

Sundays 2pm to 10pm

Amplified music and occasional DJ music.

Non Standard Timings

Extend the finish time until 1am the morning following New Years Eve and every Bank Holiday Sunday.

(l) Late Night Refreshment (Indoors)

Hours

Monday to Sunday 11pm to 12.30am

Non Standard Timings

Extend the finish time until 1.30am the morning after New Years Eve and every Bank Holiday Sunday.

(m) Supply of Alcohol for consumption ON and OFF the premises.

Hours

Monday to Sunday 9am to Midnight

Off sales will only be permitted in open containers to the designated drinking area. Closed containers (predominantly Cachaca) will be permitted to be taken from the premises.

Non Standard Timings

Extend the finish time until 1am the morning after New Years Eve and every Bank Holiday Sunday.

(o) Hours Premises are Open to the Public

Hours

Monday to Sunday 9am to 12.30am

Non Standard Timings

Extend the finish time until 1. 30am the morning after New Years Eve and every Bank Holiday Sunday

1.4 Conditions proposed by the applicant (Appendix 1)

1.5 Representations have been received in respect of this application.

1.6 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 (Appendix 2).

2.2 *Devon & Cornwall Police* – 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 *Health Authority* – no representations.

2.9 *Licensing Authority* – no representations.

3.0 OTHER PARTIES

20 - representations have been received (Appendices 3 – 22).

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 appropriate 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 appropriate in order to promote the licensing objectives.

R. Carton
Manager of Public Protection Service