

**RESPONSE TO HEARING UNDER REGULATION 8 OF THE LICENSING ACT  
2003 ( HEARINGS) REGULATIONS**

**Re Application to Grant a Premises Licence to Phoenix Tavern 11 Phoenix  
Street Plymouth**

- a. The Devon and Cornwall Constabulary consider the hearing to be necessary
  - b. The Chief Officer of police will be represented at the hearing on Tuesday 16<sup>th</sup> April 2013 by Mr F T Prout (Alcohol Licensing officer)
  - c. the Officer in charge of the neighbourhood or a nominated officer will attend to give evidence re community and policing issues
  - d. In summary the representations that the Constabulary wish to make to the Licensing Sub Committee are as follows. They are not intended in any way to limit the extent of any relevant representations to be made verbally at the hearing and must not be so construed but are set out as required by the regulations merely as a written summary.
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1. The proposed location for the premises licence is situated in Phoenix Street Plymouth. This is within a Cumulative Impact Area adopted by Plymouth City Council.
  2. The premises are situated within an area that is subject to Plymouth City Council's Cumulative Impact Policy and as such we would refer to the evidence produced by the police that supported the introduction of this policy
  3. Evidence will show that the majority of crime in this neighbourhood area occurs during the ENTE hours of 1900hrs to 0700hrs and cannot be attributed to individual premises.
  4. The peak times for neighbourhood crime is on Fridays and Saturdays
  5. Neighbourhood crime in the area increases from 2200hrs and peaks between 0200hrs and 0400hrs before decreasing until 0700hrs.
  6. Research indicates that between 88 and 94% of crime within the Cumulative Impact zone area occurs during the ENTE hours.
  7. The peak times and hours for crime committed within the CIZ area are similar in terms of times and days to the neighbourhood crime figures..
  8. The premises last operated as a licensed premise in 2009 when the licence was surrendered.
  9. The premises when licensed have in the past been subject to Police activity regarding use by prostitutes, noise levels from live bands reported by the local community, Sales of alcohol to underage people and excessive drunkenness.
  10. The proposed premises licence holder, Debra Pearce, has given written permission that matters relating to the application are to be dealt with by her business partner, David Welsh.

11. This business partner is not named in any part of the application for the grant of a premises licence.
12. Mr Welsh is known to have a history of involvement in a number of licensed premises but has never been named in any of the Licensing Act papers of any of the premises.
13. The Police have concerns regarding this person and consider his involvement in the operation of a premises licence will undermine the licensing objectives
14. The Police have further concerns that the proposed premises licence holder and designated premises supervisor Mrs Pearce will in fact be little more than a "nameplate" and will not be in full control of the premises.
15. The latest operating plan submitted has little of substance that can be converted into a meaningful or effective operating policy or indeed conditions. It is a document that is full of aspirations, However there is no detailed plan as to how to convert these aspirations into everyday working practices.
16. For these reasons the Devon and Cornwall Police invite you to refuse this application.

## INDEX OF DISCLOSURE

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**Evening and Night Time Economy Profile :  
Crime and Anti-Social Behaviour**

**Stonehouse Neighbourhood Area, Union Street and Derrys Cross Cumulative  
Impact Zone  
1 January 2010 to 31 December 2012**

**Day/ENTE –**

Day - 0700-1859

ENTE (Evening and Night Time Economy) - 1900-0659

**Weekday –**

Runs from 0700 to 0659 (shift day)

**Note:** All data is only for offences/incidents/arrests where Day, ENTE & weekday can be identified which have occurred in a public place. Incidents occurring in private addresses have been excluded.

**Offence types-**

All violent crime - homicide, serious assault, other assault, common assault and other violence

Public order - sec 4 and 5 Public Order Act, affray, violent disorder and harassment offences

DTL - direction to leave

Drunkenness - drunk in a highway/public place/licensed premises, drunk and disorderly

**Heat map tables –**

Red = higher values, green = lower values

**Calculation –**

#DIV/0! – zero values % cannot be calculated

**Antisocial Behaviour –**

Due to process changes, 2012 data is not comparable to previous years

The data and maps contained in this profile have been highlighted for the purpose of relevant representations to demonstrate the impact of crime in those clearly defined geographical areas.

Licensed premises or businesses have not been identified in this problem profile; nor have they intended to be. Street offences are mapped to the nearest point of reference and as such the icons should not be taken to represent the actual location where the incident took place.

Neighbourhood data

The tables below shows the number of offences committed between 1 January 2010 and 31 December 2012. By year.  
Day/ENTE and offence type

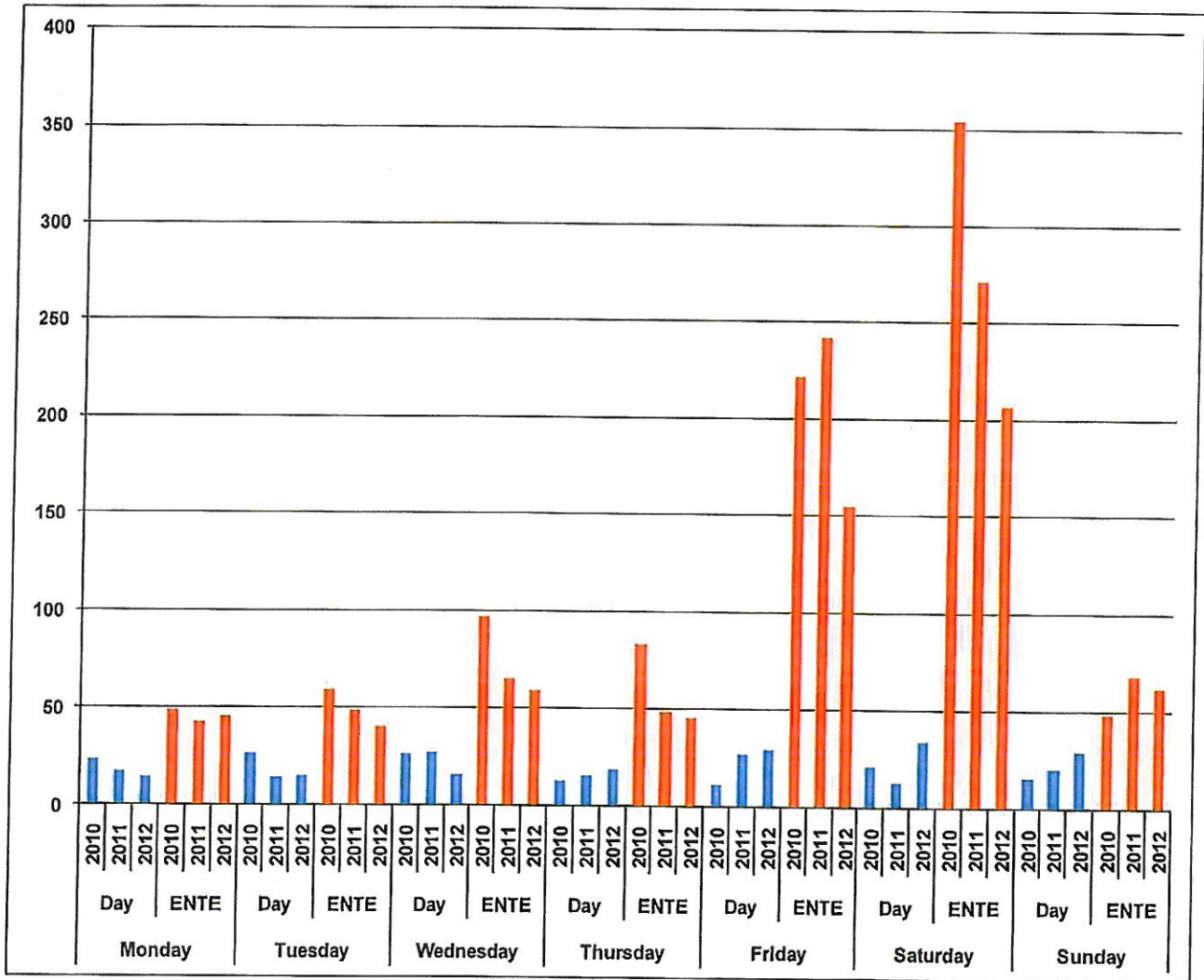
Stonehouse

	2010				2011				2012												
	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total	Day	% of Total	ENTE	% of Total									
All violent crime	71	16.4%	362	83.6%	433				62	17.0%	303	83.0%	365				88	22.1%	311	77.9%	399
Sexual offences	4	15.4%	22	84.6%	26				1	6.3%	15	93.8%	16				3	23.1%	10	76.9%	13
Robbery	3	17.6%	14	82.4%	17				8	36.4%	14	63.6%	22				6	46.2%	7	53.8%	13
Public order	48	13.8%	301	86.2%	349				48	16.3%	246	83.7%	294				42	22.8%	142	77.2%	184
Fail to obey DTL	1	1.3%	77	98.7%	78				0	0.0%	81	100.0%	81				0	0.0%	36	100.0%	36
Drunkenness	9	6.3%	133	93.7%	142				15	10.7%	125	89.3%	140				17	13.9%	105	86.1%	122
<b>Total</b>	<b>136</b>	<b>13.0%</b>	<b>909</b>	<b>87.0%</b>	<b>1045</b>				<b>134</b>	<b>14.6%</b>	<b>784</b>	<b>85.4%</b>	<b>918</b>				<b>156</b>	<b>20.3%</b>	<b>611</b>	<b>79.7%</b>	<b>767</b>

The table and graph below show all offences Day/ENTE, and weekday

**Stonehouse**

	2010			2011						2012					
	Day	ENTE	Total	Day	% change	ENTE	% change	Total	% change	Day	% change	ENTE	% change	Total	% change
Monday	23	48	71	17	-26.1%	42	-12.5%	59	-16.9%	14	-17.6%	45	7.1%	59	0.0%
Tuesday	26	59	85	14	-46.2%	48	-18.6%	62	-27.1%	15	7.1%	40	-16.7%	55	-11.3%
Wednesday	26	96	122	27	3.8%	65	-32.3%	92	-24.6%	16	-40.7%	59	-9.2%	75	-18.5%
Thursday	13	83	96	16	23.1%	48	-42.2%	64	-33.3%	19	18.8%	45	-6.3%	64	0.0%
Friday	11	221	232	27	145.5%	242	9.5%	269	15.9%	29	7.4%	154	-36.4%	183	-32.0%
Saturday	21	354	375	13	-38.1%	271	-23.4%	284	-24.3%	34	161.5%	206	-24.0%	240	-15.5%
Sunday	16	48	64	20	25.0%	68	41.7%	88	37.5%	29	45.0%	62	-8.8%	91	3.4%
<b>Total</b>	<b>136</b>	<b>909</b>	<b>1045</b>	<b>134</b>	<b>-1.5%</b>	<b>784</b>	<b>-13.8%</b>	<b>918</b>	<b>-12.2%</b>	<b>156</b>	<b>16.4%</b>	<b>611</b>	<b>-22.1%</b>	<b>767</b>	<b>-16.4%</b>





The heat map table below show all offences by hour and year

Stonehouse

Hour	2010	2011	2012
0700-0759	4	8	9
0800-0859	8	8	16
0900-0959	10	7	6
1000-1059	4	6	4
1100-1159	6	15	6
1200-1259	8	5	18
1300-1359	12	8	4
1400-1459	8	12	18
1500-1559	14	13	25
1600-1659	27	17	17
1700-1759	21	19	21
1800-1859	14	16	12
1900-1959	23	13	14
2000-2059	26	30	23
2100-2159	29	23	30
2200-2259	46	49	40
2300-2359	82	84	45
0000-0059	108	89	65
0100-0159	162	100	87
0200-0259	158	134	90
0300-0359	135	128	95
0400-0459	79	73	71
0500-0559	49	44	31
0600-0659	12	17	20

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CIZ data

The table below shows the number of offences committed between 1 January 2010 and 31 December 2012. By year, Day/ENTE and offence type

Union Street & Derrys Cross

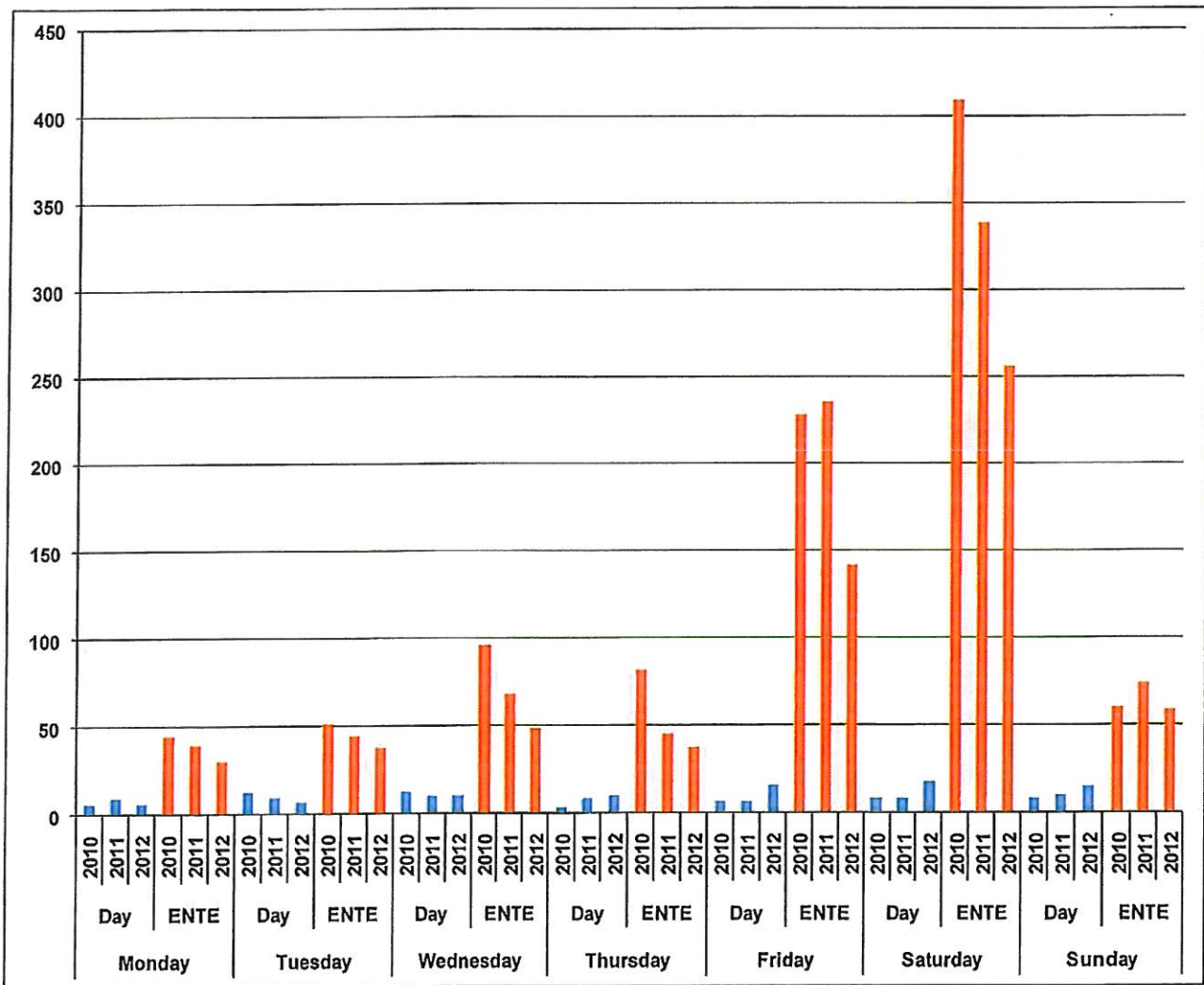
	2010				2011				2012						
	Day	% of Total	ENTE	% of Total	Total	Day	% of Total	ENTE	% of Total	Total	Day	% of Total	ENTE	% of Total	Total
	All violent crime	29	6.3%	429	93.7%	458	28	7.3%	358	92.7%	386	43	11.5%	332	88.5%
Sexual offences	2	9.5%	19	90.5%	21	0	0.0%	15	100.0%	15	2	20.0%	8	80.0%	10
Robbery	0	0.0%	5	100.0%	5	0	0.0%	4	100.0%	4	1	20.0%	4	80.0%	5
Public order	21	6.4%	308	93.6%	329	25	9.0%	252	91.0%	277	27	17.0%	132	83.0%	159
Fail to obey DTL	1	1.3%	77	98.7%	78	0	0.0%	87	100.0%	87	0	0.0%	37	100.0%	37
Drunkenness	5	3.7%	131	96.3%	136	8	5.9%	128	94.1%	136	9	8.7%	94	91.3%	103
<b>Total</b>	<b>58</b>	<b>5.6%</b>	<b>969</b>	<b>94.4%</b>	<b>1027</b>	<b>61</b>	<b>6.7%</b>	<b>844</b>	<b>93.3%</b>	<b>905</b>	<b>82</b>	<b>11.9%</b>	<b>607</b>	<b>88.1%</b>	<b>689</b>



The table and graph below show all offences Day/ENTE, and weekday

**Union Street and Derrys Cross**

	2010			2011						2012					
	Day	ENTE	Total	Day	% change	ENTE	% change	Total	% change	Day	% change	ENTE	% change	Total	% change
Monday	6	44	50	9	50.0%	39	-11.4%	48	-4.0%	6	-33.3%	30	-23.1%	36	-25.0%
Tuesday	13	51	64	9	-30.8%	44	-13.7%	53	-17.2%	7	-22.2%	37	-15.9%	44	-17.0%
Wednesday	13	96	109	10	-23.1%	68	-29.2%	78	-28.4%	10	0.0%	48	-29.4%	58	-25.6%
Thursday	3	81	84	8	166.7%	45	-44.4%	53	-36.9%	10	25.0%	37	-17.8%	47	-11.3%
Friday	7	228	235	7	0.0%	235	3.1%	242	3.0%	16	128.6%	141	-40.0%	157	-35.1%
Saturday	8	409	417	8	0.0%	339	-17.1%	347	-16.8%	18	125.0%	256	-24.5%	274	-21.0%
Sunday	8	60	68	10	25.0%	74	23.3%	84	23.5%	15	50.0%	58	-21.6%	73	-13.1%
<b>Total</b>	<b>58</b>	<b>969</b>	<b>1027</b>	<b>61</b>	<b>5.2%</b>	<b>844</b>	<b>-12.9%</b>	<b>905</b>	<b>-11.9%</b>	<b>82</b>	<b>34.4%</b>	<b>607</b>	<b>-28.1%</b>	<b>689</b>	<b>-23.9%</b>



The heat map table below show all offences by hour and year

Union Street and Derrys Cross

Hour	2010	2011	2012
0700-0759	3	9	7
0800-0859	2	6	10
0900-0959	2	2	3
1000-1059	1	4	2
1100-1159	2	6	3
1200-1259	7	1	6
1300-1359	4	3	2
1400-1459	5	8	10
1500-1559	8	5	9
1600-1659	9	7	7
1700-1759	8	8	11
1800-1859	7	2	12
1900-1959	11	6	6
2000-2059	21	17	12
2100-2159	25	24	21
2200-2259	43	40	27
2300-2359	107	91	44
0000-0059	145	127	95
0100-0159	189	152	104
0200-0259	165	142	91
0300-0359	132	126	95
0400-0459	74	66	63
0500-0559	46	41	28
0600-0659	11	12	21

**PROUT Fred 54480**

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**From:** McINDOE David 55474  
**Sent:** 28 March 2013 06:54  
**To:** PROUT Fred 54480  
**Subject:** FW: Phoenix Licensing application RESTRICTED  
**Attachments:** OPERATING PLAN (1)final draft.docx

FYI

*Mr D McIndoe  
Licensing Officer*

*Devon and Cornwall Constabulary  
Charles Cross Police Station  
Hampton Street  
Plymouth  
PL4 8HG  
Tel. 01752  
Fax 01752  
Email*

**All correspondence should be sent to The Licensing Department (West), Launceston Police Station, Moorland Road, Launceston, Cornwall. PL15 7HY**

**email: [licensingwest@devonandcornwall.pnn.police.uk](mailto:licensingwest@devonandcornwall.pnn.police.uk)**

**tel: 01526 771309**

**fax: 01566 771388**

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**From:** debra pearce [<mailto:debra.pearce@plymouth.gov.uk>]  
**Sent:** 12 March 2013 13:58  
**To:** [licensing@plymouth.gov.uk](mailto:licensing@plymouth.gov.uk); McINDOE David 55474  
**Subject:** Phoenix Licensing application

Dear Jock & Pete,

Please find attached to submit with licensing application for the Phoenix Tavern. I give you both full authority to speak or deal with my partner Mr David Welsh on any matter relating to this application.

Many thanks Debbie Peace