

PLYMOUTH CITY COUNCIL

Subject: Information regarding delegated decisions for applications for the grant / variation of premises licences

Committee: Licensing Committee

Date: 26 August 2014

Cabinet Member: Councillor Brian Vincent

CMT Member: Kelechi Nnoaham (Office of the Director of Public Health)

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Ref: ERS/LIC/PREM

Key Decision: None

Part: I

Purpose of the report:

Applications have been received from various premises within Plymouth for the grant / variation of a premises licence under Sections 17 and 34 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.

See <http://www.plymouth.gov.uk/corporateplan.htm>

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

Not applicable

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

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.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Alternative options considered and rejected:

None.

Published work / information:

For more information please see the below links.

Licensing Policy http://www.plymouth.gov.uk/statement_of_licensing_policy.pdf

Licensing Act <http://www.legislation.gov.uk/ukpga/2003/17/contents>

Licensing Act Guidance

<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing/guidance-s182?view=Binary>

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Applications										

Sign off:

Fin		Leg	20432/ag/3 0.5.14	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the content of the report? No													

1.0 INTRODUCTION

1.1 Since the introduction of the Licensing Act regime in 2005 applications have been received for the grant and variation of premises licences. Some of these applications have received representations from responsible authorities or other 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*

Baraca	Barbican
Plymouth Albion RFC	Devonport
Oddfellows Arms	Devonport

2.2 *Devon and Cornwall Police*

The Real Food Kitchen	Barbican
Asia Oriental Stores	City Centre
Asian Food Store & Uncle J Café	City Centre
Baraca	Barbican
Plymouth Arts Centre	City Centre
Oddfellows Arms	Stoke
Rock Salt Café	Stonehouse
Devonport Playhouse	Devonport
Jakes	City Centre
Milestone (Spar)	St Budeaux
Modern Catering	North Prospect
M & D Soft Drinks	Roborough

2.3 *Child Protection*

The Real Food Kitchen	Barbican
Modern Catering	North Prospect

3.0 CONSIDERATIONS

3.1 Paragraph 9.27 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 for the period between 22 November 2013 until 29 May 2014 and this report is submitted for the information of the committee.

R. Carton
Manager of Public Protection Service