

PLYMOUTH CITY COUNCIL

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

Committee: Licensing Committee

Date: 16 June 2015

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 and the grant of a club premises certificate under Section 71 of the Licensing Act 2003.

The Brilliant Co-operative Corporate Plan 2013/14 – 2016/17:

This report links to the delivery of the City and Council objectives and outcomes within the plan.

Growing: The Licensing Policy provides a balance between the need to protect residents against enabling legitimate businesses to operate within a necessary and proportionate regulatory framework.

Caring: Reduce Inequalities as the Licensing Policy has put in place an appropriate framework that will allow decision-makers, when considering applications, to reduce the impact on safety, well-being and local amenity on the local community. The licensing system must minimise the burdens on business and to allow communities the opportunity to influence decisions.

See [Our Plan](#)

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.

[Statement of Licensing Policy](#)

[Licensing Act 2003](#)

[Revised Guidance issued under Section 182 Licensing Act 2003 - Mar 2015](#)

Background papers:

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

Sign off:

Fin		Leg	231122/ag/ 2/6/15	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*

The Dock Restaurant	Millbay
Number 29	Barbican
Wok Fusion	Mutley
Prime Café	Ebrington St
The Walrus	City Centre
Barista Bros.	Mutley Palin
Cantina Deli & Diner	City Centre
Rumposcosy	City Centre
Boston Tea Party	Barbican
Rockets & Rascals	Barbican
O Tuga	City Centre
Tasty Food Express	Barbican
Authentic Sichuan Restaurant	City Centre

2.2 *Devon and Cornwall Police*

The Dock Restaurant	Millbay
Holland's	City Centre
Domino's Pizza	Exeter St
Milehouse Service Station	Milehouse
Will's at One	Royal William
Exeter Street Service Station	City Centre
McDonalds	City Centre
Pop Up	Greenbank
Ed's Easy Diner	City Centre
Favourite Foods	Barbican
Wok Fusion	Mutley
Manticore Spas	City Centre
Favourite Foods	Barbican
Tesco	City Centre
Tesco	Milehouse
Tesco	Ebrington St

St Pancras/TCl Fryday
Pizza Hut
42nd St. Grill
Hubbox Ltd
Premier Stores
Camels Head Stores
Kings Tamerton Community Club
Barista Bros.
Costcutter
Plymouth Speedway
Mutley's Munchies
Cantina Deli & Diner
Whiteford Road Tennis Club
Rumposcosy
Boston Tea Party
Rockets & Rascals

Pennycross
Derriford
Barbican
City Centre
Mutley
Ham
Kings Tamerton
Mutley Plain
North Prospect
Plympton
Mutley
City Centre
Hartley
City Centre
Barbican
Barbican

2.3 **Trading Standards**

○ Tuga

City Centre

3.0 **CONSIDERATIONS**

- 3.1 Paragraph 9.30 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 30 May 2014 until 30 May 2015 and this report is submitted for the information of the committee.

R. Carton
Manager of Public Protection Service