

PLYMOUTH CITY COUNCIL

Subject: Caffeine Club, 45 Tavistock Place, Plymouth. PL4 8AX
Variation of Premises Licence

Committee: Licensing Sub Committee (Miscellaneous)

Date: 28 July 2015

Cabinet Member: Councillor Philippa Davey

CMT Member: Kelechi Nnoaham (Director of Public Health)

Author: Frederick Prout (Senior Licensing Officer)

Contact details: Tel: 01752 304792
email: licensing@plymouth.gov.uk

Ref: ERS/LIC/PREM VAR

Key Decision: No

Part: I

Purpose of the report:

An application has been received from Tavistock House Management Co Ltd in respect of the Caffeine Club 45, Tavistock Place, Plymouth for the variation of a premises licence under Section 34 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

Recommendations and Reasons for recommended action:

That Members consider this report.

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 - June 2014](#)

Background papers:

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

Sign off:

Fin		Leg	CF/2 3376 /10.0 7.20 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 On the 15 May 2015 the licensing department received an application from Tavistock House Management Co Ltd for the variation of a premises licence under Section 34 of the Licensing Act 2003 in respect of the Caffeine Club a requested name change from Jam Jar situated at 45 Tavistock Place, Plymouth.

1.2 Details of variation

Current Licensable Activities	Variation Application
<p>(e) Live Music (Indoors and Outdoors)</p> <p><u>Hours</u> Monday to Sunday 10am to 2am</p> <p><u>Non Standard Timings.</u> New Year's Eve – from end of permitted hours on New Year's Eve to the start of permitted hours on the following day. Start of British Summer Time-To add 1 hour to permitted hours</p>	
<p>(f) Recorded Music (Indoors and Outdoors)</p> <p><u>Hours</u> Monday to Sunday 10am to 2am</p> <p><u>Non Standard Timings.</u> New Year's Eve – from end of permitted hours on New Year's Eve to the start of permitted hours on the following day. Start of British Summer Time- To add 1 hour to permitted hours</p>	
<p>(i) Late Night Refreshment (Indoors and Outdoors)</p> <p><u>Hours</u> Monday to Sunday 11pm to 2am</p> <p><u>Non Standard Timings.</u> New Year's Eve – from end of permitted hours on New Year's Eve to the start of permitted hours on the following day. Start of British Summer Time- To add 1 hour to permitted hours</p>	<p>Late Night Refreshment (Indoors and Outdoors)</p> <p><u>Hours</u> Thursday to Saturday 11pm to 5am</p>

<p><u>(j) Supply of Alcohol for consumption ON and OFF the premises.</u></p> <p><u>Hours</u> Monday to Sunday 11pm to 2am</p> <p><u>Non Standard Timings.</u> New Year's Eve – from end of permitted hours on New Year's Eve to the start of permitted hours on the following day. Start of British Summer Time- To add 1 hour to permitted hours</p>	
<p><u>(l) Hours premises are open to the public</u></p> <p><u>Hours</u> Monday to Sunday 10am to 2.30am</p> <p><u>Non Standard Timings.</u> New Year's Eve – from end of permitted hours on New Year's Eve to the start of permitted hours on the following day. Start of British Summer Time- To add 1 hour to permitted hours</p>	<p><u>l) Hours premises are open to the public</u></p> <p><u>Hours</u> Thursday to Saturday 10am to 5am</p>

1.3 Variation application

The nature of the proposed variation is;

To vary the hours for late night refreshment on Thursday, Friday and Saturdays nights to a terminal hour of 5am. To extend the terminal hour for late night refreshment on Bank Holidays to 5am.

1.4 Conditions currently attached to the licence (Appendix 1).

1.5 Conditions proposed by the applicant (Appendix 2).

1.6 Representations have been received in respect of this application.

1.7 Cumulative Impact Policy

This application does fall within an area to which the Cumulative Impact Policy applies and creates a rebuttable presumption that applications for new licences or variations to existing ones which are likely to add to the existing cumulative impact will normally be refused unless the applicant can demonstrate in their operating schedule that there will be no negative cumulative impact on one or more of the licensing objectives if the

application were granted. However before the Licensing Authority can lawfully consider giving effect to this policy there must be a relevant representation from either a responsible authority or an interested party referring to information which was before the Licensing Authority when this special policy was developed (Appendix 3).

2.0 RESPONSIBLE AUTHORITIES

2.1 Environmental Health – no representations

Environmental Health have not made representations to this application as they have been in consultation with the applicant who has agreed to accept the proposed conditions becoming conditions on the licence (Appendix 4).

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 (ODPH) – no representations.

2.9 Licensing Authority – no representations

3.0 OTHER PARTIES

2 – Forms of representation have been received (Appendices 5 & 6)

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 regards to:

- The guidance issued under section 182 of the Licensing Act 2003 with the following paragraph's relevant to this application: 1.2 – 1.5, 1.16 – 1.17, 2.2 - 2.4 , 2.15 – 2.18, 8.33 – 8.42, 9.3, 9.30 – 9.40, 10.8 - 10.10 and 13.43 -13.44.
- The Council's own Licensing Policy with the following headed paragraphs being relevant to this application: Prevention of Crime and Disorder (page 8), Public Nuisance (Page 9) Licensing Hours (Page 11), Licensing Conditions (page 19) and Special Policy (page 32 - 33).
- 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. Modify the conditions of the licence
2. Reject the whole or part of the application;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

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.

ANNEX 1 - MANDATORY CONDITIONS

1. The first condition is that no supply of alcohol may be made under the premises licence: -
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 3.(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

- 6.(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

7. The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

Minimum Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1-

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula-

$$P = D + (D \times V)$$

where-

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

4(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

A Supply of alcohol

- Any existing conditions attached to existing justices licence
- The authorised hours for the sale of alcohol do not prohibit:
 1. during the first twenty minutes after the end of authorised hours the consumption of the alcohol on the premises;
 2. during the first twenty minutes after the end of authorised hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 3. during the first thirty minutes after the end of authorised hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
 4. consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
 5. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 6. the sale of alcohol to a trader or club for the purposes of the trade or club;
 7. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 8. the taking of alcohol from the premises by a person residing there; or
 9. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 10. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

25 June 2012

A minor variation received to change the name of the premise and to include the small bar on the first floor.

07 July 2014

A variation received to add the terrace to the existing licence.

Steps taken to promote the four licensing objectives

The Protection of Children from Harm

- We operate a 'Challenge 25' scheme

Conditions agreed with the Police Licensing Authority

Prevention of Crime and Disorder -

- All staff shall be fully trained to perform their role.
The Premises Licence Holder or Designated Premises Supervisor shall ensure that all staff are trained in the legality and procedure of alcohol sales and the contents of the premises licence prior to undertaking the sale of alcohol and then at least every six months thereafter.

- Training shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority.
- A refusal record will be kept via the till EPOS system for any person refused service. The record will contain the time and date, the reason, and details of the person responsible for the management of the premises at the time of the incident.
- An incident journal shall be maintained to record any activity of any violence, criminality or anti-social behaviour. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
- The refusal records and incident journals shall be available for inspection at all reasonable times by an authorised officer of relevant responsible authority. The records will be retained for at least 12 months.

Public Safety -

- The collection of glasses and bottles shall be undertaken at regular intervals to ensure there is no build-up of empties in and around the premises.
- The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
- The CCTV system shall be capable of downloading images to a recognisable viewable format.
- The Premises Licence Holder or Designated Premises Supervisor shall be competent in operating the CCTV system and able to view and download footage onto a recognised format when requested by an authorised officer of relevant responsible authority.
- The CCTV equipment shall be maintained in good working order and continually record.
- The CCTV system shall cover all areas of the premises to which the public have access excluding the toilets.
- Images shall be retained for a minimum of 21 days

The Prevention of Public Nuisance -

- The Premises Licence Holder and/or Designated Premises Supervisor and/or responsible person shall ensure that outside areas of the premises will be controlled in a safe and effective manner to the same standard operated within the premises building and will pay special attention to the impact that the use of the outside areas have on the surrounding community.

Conditions agreed with The Environmental Health Authority

1. The 1st floor external balcony will be limited to a maximum occupancy of 40 persons, (other than staff or customers traffic movement through the area)
2. The 1st floor external balcony will have available seating for a maximum of 40 persons whilst the premise is open to the public.

3. The 1st floor balcony shall be predominantly used for seated customers and not used as a vertical drinking area.
4. The Premises Licence Holder or nominated person shall control levels of noise in the outside area and advise customers of the need to respect local residents where appropriate. Any patrons continuing to cause any disturbance or disorder will be asked to leave the premises.
5. The Premises Licence Holder or nominated person shall erect and maintain, in a prominent position at every exit a clear, conspicuous and legible notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents.
6. The Premises Licence Holder or nominated person shall be aware of the number of the people on the premises at all reasonable times. This information shall be immediately available on the request of any responsible authority.

ANNEX 3 - CONDITIONS ATTACHED AFTER A REVIEW HEARING BY THE LICENSING AUTHORITY (04TH FEBRUARY 2009)

1. The performance of live and recorded entertainment (including the location of portable speakers) outside the premises must be completed by 00.00hrs.
2. The licensee/management will control the sound levels of the music/entertainment. A noise limiting device (the specification and design to be agreed with Environmental Health Service) must be fitted so that all regulated and recorded music is channelled through the device(s). The maximum noise levels will be set by agreement with the Environmental Health Service and will be reviewed from time to time as appropriate.
3. All amplified sound sources from the premises will go through the noise limiter.
4. The performance of live entertainment must be limited to a maximum duration of 2 hours inclusive of any breaks.
5. The performance of live entertainment (groups/bands) must be limited to one session per week.
6. During the performance of live and recorded entertainment indoors beyond 00.00hrs until closing the doors and windows must be kept shut.
7. Between 00.00hrs and 02.00hrs to prevent entertainment being intrusive, noise emanating from the premises will not be distinguishable above other noise one metre from the façade of the nearest residential property.
8. A senior member of staff is nominated as the person responsible for the management, supervision and control of regulated entertainment. This person will be responsible for instructing performers on the restrictions and controls to be applied.
9. A senior member of staff (manager) will assess the impact of any noisy activities on neighbouring premises at the start of the activity/entertainment and periodically throughout the activity/entertainment and take action to reduce noise levels if they are found to be excessive/distinguishable above background levels at the nearest residential property.
10. A nominated person to be available at all times when entertainment is taking place and who is responsible for cooperating and liaising with police and responsible authorities.
11. The noise limiting device to be fitted and working by the 19th April 2009.

Committee Hearing held 22nd June 2009

The cumulative impact policy was applied and the variation application was refused.

Caffeine Club
45 Tavistock Place, Plymouth, PL4 8AX

Proposed Conditions

The premises will operate as a boutique coffee shop/cafe/bar. The main focus is on coffee, food, takeaway coffee/cakes and other non-alcoholic beverages such as milkshakes, Alcohol is planned to be ancillary to the other products on offer.

Prevention of Crime and Disorder –

- All staff shall be fully trained to perform their role. The Premises Licence Holder and/or Designated Premises Supervisor shall ensure that all staff are trained in the legality and procedure of alcohol sales, using the SWERCOTS on-line training pack or equivalent, the contents of the premises licence including times of operation, licensable activities and all conditions prior to undertaking the sale of alcohol and then at least every 12 months.
- Training of staff shall be recorded in documentary form that will be available for inspection at the request at all reasonable times by an authorised officer from a relevant responsible authority. The records will be retained for at least 3 years.
- A refusal register will be kept for any underage or person refused service. The record will contain the time and date, the reason, the person (if known), the action taken and details of the staff member.
- An incident book shall be maintained to record any activity of a violent, criminal or anti-social behaviour. The record will contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.
- The refusals register and incident book shall be available for inspection at all reasonable times by an authorised officer of relevant responsible authority. The records will be retained for at least 3 years.
- The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV is provided at the premises.
- The CCTV equipment shall be maintained in good working order and shall cover all areas of the premises to which the public have access including outside frontage of premises and capable of obtaining a clear head and shoulders image of every person entering or leaving the Premises.
- Images shall be retained for a minimum of 28 days and the CCTV system shall be capable of downloading images to a recognizable viewable format.

- There will be at least 1 member of door staff on a Friday and Saturday night between the hours of 24:00 and 02:00hrs. This will ensure safety of patrons, monitoring of the outside area, consideration to the local residents, and litter.
- After midnight, a table service will be put in place, so that the customers are seated and food and drinks are brought to them unless taking away.
- Customers will not be allowed to congregate around the coffee bar/pick up area this is purely for collection of drinks and not for customers to stand at and be social.

Public Safety

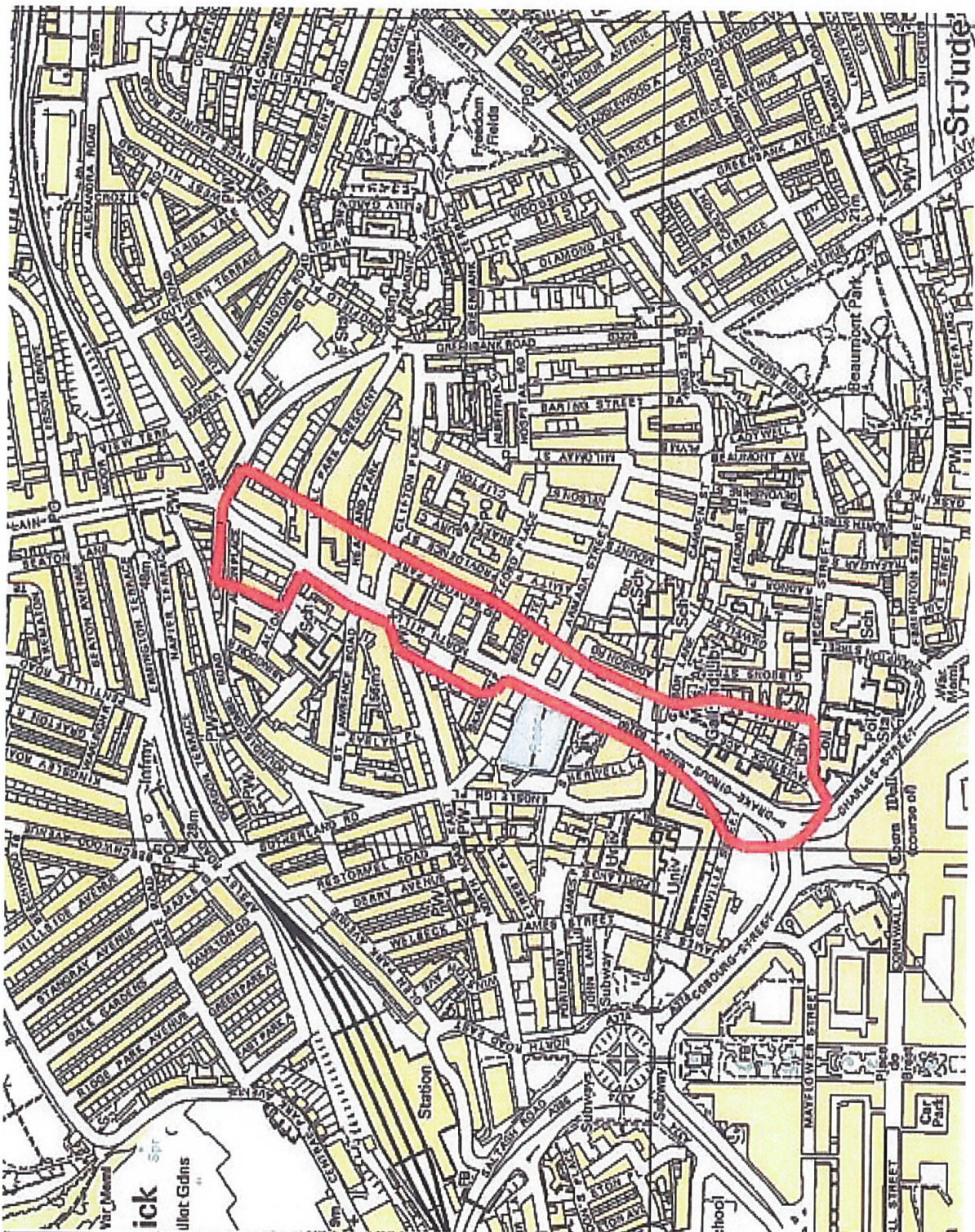
- The Designated Premises Supervisor and/or Responsible Person shall ensure that no open drinking vessel (other than takeaway drinks), glasses or bottles are taken outside the premises.
- There will be a zero tolerance to offensive conduct.
- The capacity of the venue shall not exceed 100 persons and there will be an adequate number of seats to allow all customers to sit down if the premises are at full occupancy customers will be turned away.

Public Nuisance

- The smoking area at the frontage of the premises is to be monitored and managed to the same standard inside the premises to prevent any public nuisance.
- Customers will be requested to respect local residents, any patron causing a disturbance or disorder will be asked to leave the premises.

Protection of Children from Harm

- All staff shall be trained in the requirements of the Challenge 21 policies.



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North Hill

**LICENSING ACT 2003
ENVIRONMENTAL HEALTH REPRESENTATION**

Premises: Jam Jar
Address: 45 Tavistock Place, Plymouth, PL4 8AX
Applicant:

I, Emma Pope..... have read the schedule of conditions below and agree that they will be attached to the premises licence: -

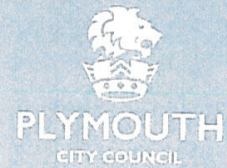
1. Between 02:00 and 05:00 all windows must remain closed and the doors fitted with self-closers and opened to allow access/egress only.
2. Between 0:200 and 05:00 noise emanating from the premises will not be distinguishable above background noise one metre from the façade of the nearest residential property.



Signed

Dated 02/07/15.....

LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

I wish to object to the following application I wish to support the following application

Name of applicant (if known) TAVISTOCK HOUSE MANAGEMENT CO LTD
 Premises name and address CAFFINE CLUB
45 TAVISTOCK PLACE Postcode PL4

Which type of application you wish to make your representation about?

- Application for a new premises licence
 Application to vary a premise licence
 Application for a review of a premises licence



Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title Mr Mrs Miss Ms Other (please state)

Surname _____ Forenames _____
 Address WHITE CROSS COURT.
REGENT STREET Postcode PL4
 Email _____ Telephone 01752

You must provide your full residential address (or business address if you are objecting from a business)

Section 3: Representative details

If you represent residents or businesses please complete the details below

Name of representative/organisation _____

Address _____

 _____ Postcode _____

I am

Representative of residents association

Representative of trade/business association

Ward Councillor

Other (please specify)

MP

Section 4: Reason(s) for representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

Public safety

For example alterations to the premises, capacity limits

The prevention of public nuisance

For example noise disturbance, littering

WE HAVE NOISE DISTURBANCE
ALMOST EVERY NIGHT FROM DRUNK
YOUNG PEOPLE AND STUDENTS.
ESPECIALLY FRIDAY AND SATURDAY.
LITTER AND FAST FOOD WRAPPERS ARE
DROPPED EVERYDAY !

~~The protection of children from harm~~

~~For example underage sales, exposure to certain performances~~

IT IS GETTING WORSE LIVING HERE
AND WILL GET HARDER WHEN ALL
THE ADDITIONAL STUDENT ACCOMADATION
IS COMPLETED IN REGENT STREET.
I AM 68 years old and still working,
be good to have a peaceful night one in a while!

I, [Signature], hereby declare that all information I have submitted is true
and correct.

Signed _____

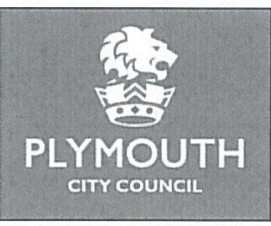
Date

3rd June 2015

Please send the completed form to

Licensing Department
Plymouth City Council

LICENSING REPRESENTATION FORM



If you wish to make a representation against or in support of any licensing application, please read the guidance note '[How to make a licensing representation](#)' prior to completing this form.

Please note that a full copy of your representation will be sent to the applicant at any hearing of this matter.

Section 1: Licence application details

I wish to object to the following application I wish to support the following application

Name of applicant (if known) Tavistock house Management Co Ltd

Premises name and address 45 Tavistock Place

Postcode _____

Which type of application you wish to make your representation about?

- Application for a new premises licence
- Application to vary a premise licence
- Application for a review of a premises licence

Section 2: Your personal details

If you are acting as a representative, please go to Section 3

Title Mr Mrs Miss Ms Other (please state)

Surname _____ Forenames _____
Address _____
Postcode _____
Email _____ Telephone _____

You must provide your full residential address (or business address if you are objecting from a business)

Section 3: Representative details

If you represent residents or businesses please complete the details below

Name of representative/organisation _____
Address _____
Postcode _____

I am

Representative of residents association

Representative of trade/business association

Ward Councillor

Other (please specify)

MP

Section 4: Reason(s) for representation

Under the Licensing Act 2003, for a representation to be relevant it must set out the **likely effect** of granting the application on the promotion of the four licensing objectives. Any representations that are considered to be frivolous or vexatious will not be accepted.

It is important that you set out any personal experiences as these will be considered as relevant.

Please fill in the reason(s) for your representation in the space provided under each Licensing Objective it relates to. You need to give as much detail as possible so that the Licensing Authority can assess the relevance of your representation. Please attach any supporting documents/further pages as necessary, numbering all additional pages. Try to be as specific as possible and give examples such as "I February, I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises opens until 2am that this will cause a nuisance to me and other residents in the street and will affect my sleep."

The prevention of crime and disorder

For example evidence of anti-social behaviour, police incidents

As the Ward Cllr for the Drake I am alarmed at the number of late licences in the area. At the have your Say where residents take part in issues affecting them in their area. I can say that issues around rowdiness, anti-social behaviour, people who are drunk walking back home. Only recently I have had a complaint from a resident regarding a streaker and that in their twilight years this is unacceptable. There have been complaints about people using public areas as mobile urinals and in the public view. Residents cannot understand why there is nothing being done and that licenses are being extended and granted and that the council is not listening to residents and their views to the extent that they give up and suffer. This will mean more people who know that a late night licence if granted will exist and it isn't guaranteed that they will be allowed to enter at the discretion of the door staff. It is also of interest that the premises falls under a CIP zone and I am concerned by the impact and influx of people converging into the area whether they get in or not is another matter but this will only exasperate the matter. I am sure that the Police are aware and know of the policing of the area especially near the Sherwell Arcade area. This is an area that has been identified for people to hang around and cause issues. There are issues around the times and that trouble can flare up at any time but between 1am and 4am is at its peak. From the Mutley report licence and planning controls it seems to be seen as a further solution in my opinion addressing ASB especially in the CIP area. The map attached shows evidence where noisy neighbours/loud parties, people hanging around the streets especially during the hours of 10pm and 2am were a big problem. This will cause further issues now that safeguarding is a priority for the welfare of people who are and could be vulnerable. This will add to the already and established existing problems not only at the premises in the CIP area but when people are going home passing residential areas in the process. In a recent report available online the evening and night time economy is involved in 19% of all violence against the person crimes.

Public safety

For example alterations to the premises, capacity limits

The potential for an increase in to this area will have a negative impact where people who are in drink, not in drink to be confrontational. An increase of people in the CIP area will lead to an increase in litter, people and all other issues will be on top of the number of people who are in the area given the themed nights that can occur in that part of the area. The Mutley report also highlights vandalism, graffiti, and deliberate damage to residential property or vehicles were either a very big problem or fairly big problem. Again residents are concerned by the number of people who will potentially gather in the area and those concerns have been raised to me. With the number of cuts to the police serving this area I am concerned especially in a CIP are for the welfare of public safety. Increased people to the area potentially mean patrons carrying glass bottles from home, another club and being discarded prior to entering a CIP area. I am also concerned at the number of licensed premises in the area and that there is sufficient provision and not needing another extension to another bar. Under Caring Plymouth – it clearly states whilst alcohol misuse affects individuals from all sections of society, those from disadvantaged communities experience the highest burden of harm. Again for me safeguarding is huge factors in this instance especially those who are deemed vulnerable. I am also concerned at the health implications long term and what the policy is and how this impacts the community. We have a mixed community and we have to ensure that the health and wellbeing of people in Plymouth is a priority.

The prevention of public nuisance

For example noise disturbance, littering

There have been significant issues and on-going problems with rubbish in the area recently highlighted by Mount Street Primary School supported by myself as the Ward Cllr and recently by both of us when the school went on a protest walk complaining about the rubbish in the area. An increase in people in the CIP area will mean residents who use mobility scooters and walking aids will have to avoid and dodge the bins, vomit, broken glass, discarded rubbish, fast food litter. With the number of themed nights in the area and increased number of people venturing in to the area this will become an issue and with the number of limited police and resources this will have an impact in the CIP area. Residents do not feel reassured that the problem is being addressed and that nothing gets done. At the recent have you say meeting residents were informed that the numbers of police officers available were going to be less. In the Mutley report the number of people being drunk in a public space, people using drugs or dealing drugs again highlighting the safeguarding issue which is even more paramount. Noise complaints usually start from 10pm and lead up to the crack of dawn depending on how well the area is policed and how quick dispersal can be. Again a very big problem or a fairly big problem. I am concerned at the vicinity of the number of other licensed premises in the area and the fact there will be an overspill of people at said premises causing issues for those premises out of the CIP and within the CIP areas. During 2014/15 155 formal complaints were registered against licensed premises and that extending this license in a CIP area means more noise, more people and more issues which are outlined in the 4 objectives.

The protection of children from harm

For example underage sales, exposure to certain performances

As highlighted by the young people from Mount St Primary school they grilled me about the state of the area. They have photos of broken glass, food, litter, vomit, sanitary towels, and discarded condoms along the way to school. Just imagine granting this license and what message this would send to the young people. Their views should be taken into account to show what impact their project has had as to include it in the representation of this license.

As the Ward Cllr I urge the Committee to refuse this application on the above grounds for the residents and the future generations of the Drake Ward especially as it falls in a CIP area.

I Councillor Chaz Singh _____, hereby declare that all information I have submitted is true and correct.

Signed CSingh

Date 17th June 2015

Please send the completed form to

Licensing Department

Plymouth City Council

Civic Centre

Plymouth PL1 2AA

T: 01752 305465

E: licensing@plymouth.gov.uk