

<h2 style="text-align: center;">Licensing Act 2003 Representation Form</h2>	
<h3>Section 1 - Application Details</h3>	
<p>I object to the following Application:</p>	
<p>Applicant's name (if known):</p> <p>Premises name and address: Dale Temperance Hotel & Coffee Tavern 16 Old Square Warwick CV34 4RA</p>	
<p>Application for a</p>	<p>Premises Licence..... x</p> <p>Club Premises Certificate..... <input type="checkbox"/></p>
<p>Application to vary an existing Premises</p>	<p>Licence..... <input type="checkbox"/></p> <p>Club Premises Certificate..... <input type="checkbox"/></p>
<p>Application Number</p>	<p>WDCPREM00869</p>

<h3>Section 2 - Objector details</h3>	
<p>Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i></p>	
<p>Applicant Title</p>	<p>_____</p>
<p>Surname</p>	<p>_____</p>
<p>First name(s)</p>	<p>_____</p>
<p>Address (incl postcode):</p> <p>The Old Post Office Old Square Warwick CV34 4RA</p>	

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

This is because

If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details	
My objection is relevant to the following licensing objective: <i>You can tick more than one box</i>	<input type="checkbox"/> Prevention of crime and disorder. <input checked="" type="checkbox"/> Prevention of public nuisance. <input type="checkbox"/> Protection of children from harm. <input type="checkbox"/> Public safety

<input checked="" type="checkbox"/>	I object to the application being granted at all
<input type="checkbox"/>	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:
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Prevention of Public Nuisance

Warwick is a small market town with a high number of residential properties in the town centre, many of these are in the immediate vicinity of 16 Old Square; for example those Old Square and those that adjoin - New St, Church St and Northgate St. The impact on these properties created by a) increased foot and vehicle traffic to the premises late into the evening, b) noise coming from the premises, and c) a license to sell alcohol until 12am Sun-Thurs and 1am Fri- Sat, will be significant and detrimental to the quality of life for those residents who will be continually disrupted by the premises. There will also be noise beyond these times as noise created by customers leaving a venue does not immediately end when the venue closes – there is noise as people find their way homes, parked cars, taxi collections, etc. This will be compounded by the sale of alcohol which in itself creates greater noise disturbance (through intoxicated customers who will be loud as they leave the venue) and a greater risk of crime and disorder.


Furthermore, 16 Old Square is a listed building which is surrounded by listed buildings which are residential dwellings - that hinders the ability to sustain inside noise (by the public house) but also for the residents to keep the noise out. Old Square is a quiet residential street which already has three licensed premises – increasing this number to four, with 16 Old Square open until 1am, will dramatically alter the vibe of Old Square and also set a damaging precedent for the town centre which will dramatically alter the appeal, culture and vibe of Warwick.

There will also be a particular issue for the residents of the Old Post Office as the property which overlooks the rear of 16 Old Square and, in particular, we have a roof terrace which overlooks the courtyard at the rear of 16 Old Square. I understand from the planning application that the intention is to turn this into a outdoor area for hotel guests and patrons; however the license application does not detail how noise and disturbance from this space will be managed. This will have a severe impact on the enjoyment of our outdoor space as we will be immediately next to the premises' drinking/smoking area – which will create noise disturbance and also the smells and pollution from cigarette smoke. This will destroy the enjoyment of our outdoor space. The roof terrace is one of the key benefits of this property and the application will greatly reduce the attractiveness of the property and its property value.

Many thanks for your consideration of this objection.

Signed.....

...Date.....3rd August 2016.....

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): 16 Old Square Warwick Premises name and address: 16 Old Square		
Application for a	Premises Licence..... <input checked="" type="checkbox"/> X Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number		

Section 2 - Objector details	
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	_____
Surname	_____
First name(s)	_____
Address (incl postcode): New Street Warwick CV34 4RX	

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

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If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details

<p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p>	<p>X Prevention of crime and disorder.</p> <p>X Prevention of public nuisance.</p> <p><input type="checkbox"/> Protection of children from harm.</p> <p>X Public safety</p>
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X	I object to the application being granted at all
	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:
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1) Prevention of crime and disorder.

Due to increased levels of intoxication late at night it will lead to increased crime and fighting on the street. Warwick does not have a dedicated police force in the area. I also believe that this will lead to increased crime such as window breakages.

2) Prevention of public nuisance.

This is a residential area and a public house being allowed to open until 1am is not in keeping with the town of Warwick. It will impede local residences ability to sleep at night with increased noise as well as increased noise in the early morning from bottling out and waste removal .

1am licence is far too late for a residential area and I fear that the bedrooms being let will lead to later drinking establishment as they will claim 'residents bar' and thus onto and past a very late 1am.

I work in a role where I have to be up very early and this will lead to sleep deprivation.

There will be noise that will travel from the outside garden area to my home which is only yards from the location. With a 1am closing time this will result in revellers leaving an area later with no public transport available

3) Public safety

This is a one way street. There will be no public transport at this time. Therefore it will lead to increased jaywalking from the customers which could result in road traffic accidents

Signed.....

Date.....

NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
<p>Applicant's name (if known): Peter McDonald</p> <p>Premises name and address: 16 Old Square Warwick CV34 4RA</p>		
Application for a	Premises Licence..... x Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number		

Section 2 - Objector details	
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	_____
Surname	_____
First name(s)	_____
Address (incl postcode): Northgate Street Warwick CV34 4SP	

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

This is because

If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details	
<p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p>	<p><input checked="" type="checkbox"/> Prevention of crime and disorder.</p> <p><input checked="" type="checkbox"/> Prevention of public nuisance.</p> <p><input type="checkbox"/> Protection of children from harm.</p> <p><input type="checkbox"/> Public safety</p>

<input checked="" type="checkbox"/>	I object to the application being granted at all
<input type="checkbox"/>	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:
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You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

This is a representation objecting to the application for a premises licence for 16 Old Square Warwick made by Peter McDonald.

This representation relates to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

Our objections are based on;

- a) the unsuitability of the locality to contain late night licensed premises
- b) the unsuitability of the building due to its fabric and listed status to effectively attenuate the impacts of licensable activities.
- c) the inevitable impacts of the proposed licensable activities on persons living and working in the vicinity would be severe and incapable on mitigation
- d) Old Square is a narrow, one way street.
- e) The proposals for exit and smoking areas do not take into account the residential properties overlooking those areas.
- f) There are particular issues concerning the external activities of patrons at the entrances and exits and smoking areas, and at the key time of dispersal from the premises, at which time issues of crime and disorder, traffic noise and disruption on a quiet one way street are anticipated as having a major and significant impact on local residents.
- g) There are no conditions that can adequately mitigate the likely impacts of the proposed licensable activities and inevitably the licensing objectives will be breached.

We therefore represent to the Licensing Authority that this application should be refused in its entirety.

We reserve the right to amplify this representation at a forthcoming hearing.

Signed.....
Date.....

NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street
- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
- If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Panel and any subsequent appeal proceeding. If you do not attend, the Panel will consider any representations that you have made and apply any weight to it they deem appropriate
- This form must be returned within 28 days from the day after the application was made. The exact date may be found on the council's website.
- The objection may only relate to one or more of the four licensing objectives.

Please return this form when completed to:

Warwick District Council
Licensing Team,
Health and Community Protection,
Riverside House,
Milverton Hill,
Royal Leamington Spa.
CV32 5HZ

licensing@warwickdc.gov.uk

Tel: 01926 456113
Fax: 01926 456121

This may form be posted or emailed to the Local Authority

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): Phoenix (City) Pub Company Ltd Premises name and address: Dale Temperance Hotel & Coffee Tavern; 16 Old Square, Warwick, Warwickshire, CV34 4RA.		
Application for a	Premises Licence..... <input checked="" type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM00869	

Section 2 - Objector details	
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	_____
Surname	_____
First name(s)	_____
Address (incl postcode): 	

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Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

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☐ Please tick here if you do not wish your objection to be made public and complete the box below

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If you represent residents or businesses please complete the boxes below

Organisation name if applicable	Cobalt Developments Warwick Ltd
Please state nature of representation: Objection to proposed liscencing on behalf of my client, who are the owners of	

Section - Objection Details	
<p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p>	<p><input checked="" type="checkbox"/> Prevention of crime and disorder.</p> <p><input checked="" type="checkbox"/> Prevention of public nuisance.</p> <p><input checked="" type="checkbox"/> Protection of children from harm.</p> <p><input checked="" type="checkbox"/> Public safety</p>

<input checked="" type="checkbox"/>	I object to the application being granted at all
<input type="checkbox"/>	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:
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<p>Dear Sir / Madam</p> <p>WDCPREM00869 – Premises Licensing Application: Dale Temperance Hotel & Coffee Tavern, 16 Old Square, Warwick, Warwickshire, CV34 4RA.</p> <p>We refer to the above application information submitted to Warwickshire District Council. We write, on behalf of our clients, _____ to strongly object to the above premises licence application.</p> <p>The licence proposed allows the sale of alcohol for the consumption on or off the premises between the hours of 11am and 12am Sunday to Thursday and 11am until 1am Friday and Saturday. The normal opening hours will be from 11am until 12.30am Sunday to Thursday and 11am until 1am Friday and Saturday.</p> <p>The license proposed will also allow recorded music to be played on site between the hours of 11pm and 12am, Sunday to Thursday, and 11am and 1am Friday and Saturday. The license allows the recorded music to be played to an audience of up to 500 people. Extended provisions are made on New Year's Eve for both the sale of alcohol and the playing of recorded music.</p> <p>Our clients have concerns regarding how the proposed operation will affect the local character of the area. The location of the site is in a quieter section of the Town Centre, close to St Mary's Church, and departed from the main shopping area and also the congregation of local public houses, which are primarily located at Market Square and Theatre Street. Therefore, we question that a use of this nature at this location would be suitable. It is likely that significant nuisance will be created in the local area caused by the proposed use being located in this area.</p> <p>Furthermore, this site is located close to residential properties, one of which the Old Post office which our client owns. This differs to the characteristics of the other drinking establishments which are present in Warwick Town Centre, which are primarily located close to employment, retail uses and larger roads with</p>
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heavier traffic loads. Therefore, the potential for nuisance is exacerbated in this area. It is assumed that the outdoor area and pergola would serve as a smoking area for the bar proposed. This area is overlooked by the surrounding residential properties. This will have a significant impact on the occupants of those properties, with users (often intoxicated) being located outside up to 1.30am. This is a significant departure from the characteristics currently present on site, which is that of office and residential use and would be a significant source of noise and disturbance to local residents.

The site is located away from the main areas of the town centre and on a narrow, one-way road with a number of parked cars. There is no space in front of the site for the dropping off and pick up of passengers, or any dedicated parking. The site, being used late at night and likely by those too intoxicated to drive, would require access from taxis, particularly at closing time at weekends when people return home (1.30am). There is no provision in the planning application which sits alongside this licensing application to facilitate this and no mitigation proposed.

Given the building's age, it is unlikely that the building has the required acoustic mitigation to mitigate against the noise impacts of the use proposed, and particularly the playing of music until the early hours. The building's heritage and conservation area status means that it is unlikely that the installation of modern windows and doors and external flue and air conditioning plant would be deemed acceptable which would mitigate the noise and odour impact on site.

In previous proposals in the local area, including that to convert the ground floor of the Old Post Office to a restaurant, stringent mitigation was requested against both odour and noise by the Council's Environmental Health Officer at the time, Peter Lawson. Mitigation methods to these standards are not evident in the submitted planning application, nor do we believe them to be suitable to be provided in this building, given its listed context. This therefore brings into question the suitability of the building for the licence proposed.

We thank you for the opportunity to make our comments on this application, on behalf of our clients, Cobalt Developments Warwick Limited. We would welcome an opportunity to comment if revised details are received from the applicant at a later date.

Yours sincerely

Partner
8th August 2016

NOTES



WARWICK DISTRICT COUNCIL
Licensing Act 2003

**REPRESENTATION FORM FROM
 RESPONSIBLE AUTHORITIES**

Responsible Authority – Environmental Health, Riverside House, Milverton Hill, L/Spa, CV32 5HZ

Your Name	Matthew Shirley
Job Title	Technical Officer
Postal and email address	Environmental Sustainability, Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ
Contact telephone number	01926 456730

Name of the premises you are making a representation about	Dale Temperance Hotel & Coffee Tavern
Address of the premises you are making a representation about	16 Old Square, Warwick, Warwickshire, CV34 4RA

Which of the four licensing Objectives does your representation relate to?	Yes Or No	<i>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</i>
To prevent crime and disorder	No	
Public safety	No	
To prevent public nuisance	Yes	See accompanying information
To protect children from harm	No	

Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.	See accompanying information
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Comments / Objections / Observations	Environmental Health objects to the premises licence application.
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Signed:

Date: Tuesday 16th August 2016

Representation

The premises is located within the town centre of Warwick and is in an area of mixed commercial and residential use. The majority of commerce in this location, however, is limited to day time trade only such as banks, health and beauty services, as well as retail/convenience stores. There are a small number of licensed cafés and restaurants within Old Square, all with different hours of operation. These premises have been a recent cause of noise complaints due to patrons in the street, highlighting that this location is a noise sensitive area during the evening time. We therefore have concerns that the introduction of a late night drinking establishment in this area will create significant noise nuisance to the existing residential properties in the area. The premises is located in a quiet area, served by a narrow one-way road which has minimal traffic, and little footfall during the evening. With limited evening trade and little traffic in the area, the background sound levels are typically low, presenting an increased likelihood of noise disturbance being caused. The introduction of a new public house will adversely impact on existing residential properties and will cause public nuisance as a result of noise from patrons accessing and leaving the premises in the late hours of the night as well as the provision of late night regulated entertainment at the premises.

From viewing the premises and its immediate surroundings, we would have concerns about sound breakout through the single glazed windows from the proposed regulated entertainment at the premises. The property is a listed building therefore there are fewer opportunities for the operator to improve the sound attenuating features of the building, i.e. enhanced glazing, structural modifications, etc., to prevent noise escaping, particularly bass and lower frequency noise, and causing nuisance to nearby residents. As the applicant is looking to provide regulated entertainment until 00:00 on Sundays to Thursdays, and 01:00 on Friday and Saturdays, we would have significant concerns that the building would not be able to sufficiently contain music within the premises and will cause noise disturbance to local residents, particularly at times when people would be wanting to sleep. The provision of loud amplified music late in the evening will lead to noise escaping from the premises either through the structure itself or through any openings at the premises, causing nuisance to residents.

There are currently nine apartments in the building opposite the entrance to the premises (1 New Street) as well as two apartments in the adjoining building, known as the Old Post Office. There are also dwellings on both Old Square and New Street that would be affected as a result of noise in the street and even more properties on the surrounding streets such as Northgate Street and Church Street. The noise from a licensed premises does not always end at closing time as there is often noise associated with groups of customers congregating outside to wait for taxis or to be collected by friends/family, as well as customers making noise in the surrounding streets as they leave the premises. Given the amount of residential properties in the area and the quiet location, the proposed closing times will cause significant disturbance to local residents as a result of raised voices and noise in the street. The applicant has volunteered the creation of a dispersal policy for customers leaving the premises, however, premises supervisors often have little control of patrons once they are on the public highway and would be unable to keep noise to a minimum once they have left the premises.

The applicant is also proposing to provide a substantial outdoor seating area at the back of the premises for customers which is, as the application currently stands, unrestricted and could be used until 00:30am on Sundays to Thursdays, and until 01:30am on Fridays and Saturdays. The property is adjoined by the Old Post Office which comprises of commercial uses on the ground floor and parts of the first floor but also has residential accommodation on the upper floors. One of these properties has an outdoor roof garden/terrace which adjoins the premises, therefore the late night and/or intensive use of this area could also result in noise nuisance being caused from raised voices and general customer noise in this area. Other than signage, the applicant has not volunteered any conditions or commitments to detail how this area will be managed and how noise nuisance will be prevented. If not managed, the late night use of this outdoor area would create regular and prolonged noise disturbance for residential properties that overlook and/or adjoin this space. The premises will also be faced with a difficult challenge concerning noise from customers that wish to smoke in the late evening. As the rear garden area is overlooked by residential dwellings, late night noise in this area is likely to create noise disturbance from customers using this space. Equally, if customers wanting to smoke were moved onto the public highway after an agreed hour, this would create disturbance to residents that overlook the entrance to the premises. This matter would be exacerbated further by the late opening hours sought by the premises meaning that noise and sleep disturbance would occur on most evenings.

In light of the above issues, we would object to the premises licence application. Warwick District Council's statement of licensing policy (2014) states that the licensing authority will take an objective view as to the potential for nuisance and will seek to attach appropriate and proportionate conditions to licences and certificates where necessary in order to prevent it. In this instance, we do not feel that the use of conditions would be sufficient enough to address the concerns that have been raised without severely limiting the operation of the premises as a public house therefore we would recommend that the licence is not granted on this occasion. Should the licensing committee be minded to grant the application, however, we would propose the following conditions:

Continued...

Conditions

1. No speakers for the amplification of music or speech shall be placed on the outside of the premises or on the outside of any building forming part of the premises.
2. All windows and doors shall be kept closed after 21:00, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
3. All outdoor areas shall be cleared by 21:30, except for the purposes of smoking.
4. After 21:30, the number of persons permitted to smoke in the rear garden area shall be limited to no more than 10 persons at any one time.
5. No regulated entertainment shall take place in the outdoor areas at any time.
6. No open vessels shall be taken outside the curtilage of the premises at any time.
7. A sound limiting device shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of Warwick District Council's Environmental Health service to ensure that no noise nuisance is caused to local residents. The limiter shall not be altered without prior agreement with the Environmental Health Service.
8. Opening hours and sale of alcohol shall be amended to; 11:00 to 23:00 (available 24 hours a day for hotel residents and bona fide guests only).
9. Recorded music shall be amended to; 11:00 to 23:00.
10. Late night refreshment to be omitted to reflect the amended opening hours.

The Coffee Tavern – New Premises Licence

Statement of Case

This statement is made in support of an application for a new premises licence for The Coffee Tavern, 16 Old Square, CV34 4RU (the "Premises") with the intention of outlining the applicant's case and seeking to address the concerns of the parties maintaining representations. Amplification of the points raised below, together with further submissions on policy, will be made verbally at the licensing sub-committee hearing.

Background & Style of Operation

The applicant, The Phoenix (City) Pub Company Limited, is backed by experienced operators in the hospitality sector and has some of the same directors as The City Pub Company Plc which operates high quality pubs, restaurants and guest houses with an emphasis on the provision of food.

The Premises has only recently been purchased by the applicant and is currently closed. However, the intention is to invest in excess of £2 million to transform the Premises into a food led pub with ten letting rooms to be operated to a high standard with a target opening date of March 2017. It is anticipated that the percentage of sales from non-alcoholic beverages and food will be in the region of 60%. This will be achieved by serving both lunch and dinner. Please see attached at **appendix 1** indicative food and drinks menus.

The Proposed Layout

As can be seen from the plans submitted with the application, it is proposed that the trading area will be on the ground floor with cantilever doors opening into a yard area. Generous toilet facilities will be provided in the basement. Please see attached at **appendix 2** photographs of similar venues in the larger group. A 'mood board' is at **appendix 3**.

The Representations

The applicant is conscious that representations have been received from the Police, Environmental Health, local residents and the owners of The Old Post Office. To avoid duplication, rather than comment on each representation individually, the general concerns raised are addressed as follows:

CCTV Provision

The applicant is happy to adopt the wording of the CCTV condition suggested by Warwickshire Police and their representation has been withdrawn on this basis.

Recorded Music

The application included the ability to have recorded music past 11.00 p.m. as a 'belts and braces' approach given the somewhat subjective assessment of what is considered background and what is regulated recorded music. On further reflection, the applicant is confident that it will not play music at a level near what could be construed as regulated recorded music and **is happy for this to be removed from the application.**

The Construction of the Premises

A substantial part of the appeal of the Premises is its period character. The applicant (and its sister companies) have had considerable experience of converting listed buildings to ensure that they are 'fit for purpose' and have the necessary additional sound proofing required to operate as a licensed premises without noise escape from the fabric of the building. Further technical information will be provided and explained at the Licensing Sub-Committee hearing.

Outside Noise

Whilst the yard to the rear of the Premises has the ability to remove any use by patrons of the pavement at its front, the applicant is acutely conscious that outside areas can have the capacity to be a source of noise nuisance. Notwithstanding that the style of operation, expected clientele and experienced management team will ensure that the use of the yard does not impact upon nearby premises, the applicant is happy to proffer the following additional conditions which are based on those suggested by Environmental Health:

- No speakers for the amplification of music or speech shall be placed on the outside of the premises or on the outside of any building forming part of the Premises.
- All windows and doors shall be kept closed at any time regulated entertainment takes place, except for immediate access and egress of persons.
- All outside areas shall be cleared by 22.00, except for the purposes of smoking.
- No regulated entertainment shall take place in the outside areas at any time.
- No open vessels shall be taken outside the curtilage of the Premises at any time.
- A sound limiting device shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of Warwick District Council's Environmental Health Service to ensure that no noise nuisance is caused to local residents. The limiter shall not be altered without prior agreement with the Environmental Health Service.

The applicant does not consider that it is necessary to have all doors and windows closed when regulated recorded music is not playing. The cantilever doors facing onto the yard will hopefully be a very attractive feature and, where the weather permits, the applicant would like to have these open in the evening time. It does not consider that this will add to background noise levels. Whilst, as can be seen above, the applicant is prepared to have a terminal hour on the use of the yard, it respectively suggests that 10.00 p.m. is considered to be reasonable, even in heavily residential areas. It is suggested that 10.00 p.m. will allow patrons to take an evening dinner outside but still ensure that there is no noise escape by the time the majority of local residents go to bed. Finally, the applicant is uncomfortable about having a specific limit on the number of outside smokers at any one time. Whilst the number of smokers is not expected to be high, it is impossible to effectively police without door supervisors: a path that the applicant certainly does not wish to go down given the style of operation.

However, possibly the best 'check' on any noise nuisance will be the ten letting rooms. Given the on-line reviews that the Premises will attract, it would be commercial suicide if the applicant allowed customers frequenting the Premises to eat and drink to disturb the sleep of those paying good money to stay.

The Hours Sought & Dispersal

The hours applied for reflect the old Licensing Act 1964 Supper Hours Certificate permission during the week and an hour later at the weekend. They are similar hours to those operated successfully at other venues in the estate. The applicant has already prepared a Dispersal Policy and a copy is at **appendix 4**.

Warwick District Council's Licensing Policy (the "Policy")

Before making the application careful consideration was given to the Policy. The Premises is not located in a Special Cumulative Impact Policy Area, hence there is no rebuttable presumption that the application should be refused unless it can be demonstrated that it will not add to cumulative impact. The guidance in respect of the four licensing objectives was also heeded with stringent and enforceable conditions being proffered, in particular, to ensure that patrons move indoors before 23.00, there is 30 minutes 'drinking up time' and ensuring that amplified sound will be inaudible in neighbouring domestic properties (see paragraph 5.3 of the Policy).

Conclusion

The applicant is acutely conscious of the need to uphold the licensing objectives. The intention is to breathe new life into what is currently a rather unloved building. Hence the Licensing Sub-Committee is urged to grant the application as sought. If the information provided in this statement has eased concerns local residents are kindly asked to formally withdraw their representation in order to save time at the hearing. If concerns remain residents are asked to contact Niall McCann of Instructing Solicitors at niall.m@joelsonlaw.com.

Joelson JD LLP Solicitors

APPENDIX 1

COFFEE TAVERN

LUNCH MENU

BAR SNACKS

Marinated olives.....	3
Sausage roll & English mustard.....	4.5
Calamari, garlic mayo & lemon.....	5
Crispy chicken wings & green harissa.....	5
Whitebait & tartar sauce.....	5

STARTERS

Summer vegetable minestrone soup & walnut pesto.....	5
Hummus, spiced nuts & flatbread.....	5.5
Pork & pistachio terrine, house chutney & toast.....	7
Potted shrimps, fennel, cucumber & sourdough.....	7
Baked Camembert, red onion & sultana marmalade & toasted brioche.....	10.95

SANDWICHES -all served with house fries & house salad

Rare roast beef, horseradish & watercress.....	7
Chicken, smoked bacon, lettuce & garlic mayo.....	7
Roast summer vegetables baguette, olive & rocket.....	7
Smoked salmon, chive cream & cucumber.....	7

SALADS

Grilled courgette, Charlotte potatoes, peas, gem, mint & goat cheese.....	9
Chicken, bulgar wheat, fennel, broad beans, lime & herbs.....	9.5
Grilled haloumi, tomatoes, cucumber, pepper, radish, parsley.....	9

MAINS

Pan fried stone bass, borlotti beans, datterini tomatoes & olive tapenade.....	15
Beef burger, smoked bacon, cheddar, onion rings & skin on fries.....	12.5
Buttermilk chicken burger, 'slaw, harissa mayo & fries.....	11.5
Roast aubergine, tomatoes, mozzarella & house salad.....	11
Chicken, smoked hock & leek pie, buttered mash potato, runner beans.....	11.5
Beer battered haddock, skin of fries, peas & tartar sauce.....	11.5
Sirloin steak, vine tomato, roasted garlic, skin on fries & peppercorn sauce.....	21

SIDES

Buttered green beans.....	3.5
Skin on fries.....	3.5
Mash.....	3.5
Gem, mint, shallot & tomato salad.....	3.5

DESSERTS

Chocolate brownie, hazelnuts & salted caramel ice cream.....	5.5
Vanilla & yogurt pannacotta, strawberries & basil.....	5
Orange cake, Cointreau syrup & chocolate crumble.....	5.5
Summer fruit & prosecco jelly & vanilla ice cream.....	5
Crown cheeseboard (selection of four cheese).....	9

COFFEE TAVERN

DINNER MENU

APERITIVES

The Hugo

Gin, elderflower & fresh mint.....8

Barrel Aged Negroni

Gin, sweet vermouth, campari.....7.5

Pink Grapefruit Fizz

Prosecco & grapefruit cordial.....6.5

STARTERS

Summer vegetable minestrone soup & walnut pesto.....5

Hummus, spiced nuts & flatbread.....5.5

Pork & pistachio terrine, house chutney & toast.....7

Potted shrimps, fennel, cucumber & sourdough.....7

Baked camembert, red onion & sultana marmalade & toasted brioche.....10.95

Seared scallops, cauliflower purée & smoked bacon7.95

SALADS

Grilled courgette, Charlotte potatoes, peas, gem, mint & goat cheese.....9

Chicken, bulgar wheat, fennel, broad beans, lime & herbs.....9.5

Grilled halloumi, tomatoes, cucumber, pepper, radish & parsley.....9

MAINS

Pan fried stone bass, borlotti beans, datterini tomatoes & olive tapenade.....15

Herb crusted lamp rump, boulangere potatoes, peas, broad beans & lamb jus.....14.75

Beef burger, smoked bacon, cheddar, onion rings & skin on fries.....12.5

Roast pork loin, ne potatoes, runner beans, black pudding & mustard sauce.....12.75

Roast aubergine, tomatoes, mozzarella & house salad.....11

Chicken, smoked hock & leek pie, buttered mash potato & runner beans.....11.5

Beer battered haddock, skin on fries, peas & tartar sauce.....11.5

Sirloin steak, vine tomato, roasted garlic, skin on fries & peppercorn sauce.....21

EXTRAS

Buttered green beans.....3.5

Skin on fries.....3.5

Mash.....3.5

Gem, mint, shallot & tomato salad.....3.5

DESSERTS

Chocolate brownie, hazelnuts & salted caramel ice cream.....5.5

Vanilla & yogurt pannacotta, strawberries & basil.....5

Orange cake, Cointreau syrup & chocolate crumble.....5.5

Summer fruit & prosecco jelly & vanilla ice cream.....5

Crown cheeseboard (selection of four cheese).....9

COFFEE TAVERN

CHEESES

Crown cheese board,
choose four from our selection.....9

Stinking Bishop a cheese made famous for bringing Wallace back from the dead in Wallace & Gromit The Curse Of The Were-Rabbit with its... Interesting scent

Bresse Bleu white in colour & has an aroma of mushrooms. Its creamy interior, similar in texture to Brie, contains patches of blue mould. A good starter for people experiencing Stilton

Saint Marcellin a creamy soft cow's milk cheese. As this cheese ages it gains more colour

Godminster a stunning upgrade for any cheddar lover, deliciously, creamy, vintage, organic cheddar, which in flavour both sweet and savoury

Port Salut a mild easy medium hard cheese, not overpowering but easy in flavour

Roquefort legend has it that when a youth, eating his lunch of bread & ewes' milk cheese, saw a beautiful girl in the distance. Abandoning his meal in a nearby cave, he ran to meet her. When he returned a few months later, the mould had transformed his plain cheese into Roquefort

COFFEE TAVERN

DESSERTS

Chocolate brownie,
hazelnuts & salted caramel ice cream.....5.50

Vanilla & yogurt pannacotta,
strawberries & basil.....5.25

Orange cake, Cointreau syrup &
chocolate crumble.....5.75

Summer fruit & prosecco jelly &
vanilla ice cream.....5.75

Crown cheese board9
Please see reverse for selection

AFTER DINNER DRINKS

Barrel aged Manhattan.....8.5
Espresso Martini.....8
Smoked maple old fashioned.....7.5
Patron XO.....4.5

DESSERT WINES

75ML • BOTTLE

Monbazilliac.....	5	•	18
Banyuls.....	4	•	24

PORT WINES

50ML

ROC fine ruby port.....	2.7
Taylor's fine Tawny port	3.2
Croft LBV port	3.2

Selection of Single malts, Cognacs & Armagnacs also available

Item 3 / Page 32

IF YOU HAVE A FOOD ALLERGY OR INTOLERANCE PLEASE ASK A MEMBER OF OUR FRIENDLY STAFF FOR A COPY OF





COFFEE TAVERN




DRINKS MENU	Page No.
Cocktails.....	2
Coolers.....	3
Bellinis.....	3
Martinis.....	3
Sparkling.....	4
Champagne.....	4
White wine.....	4
Rose.....	6
Red wine.....	6
Single malts.....	8
Draught.....	8
Bottles.....	8

COFFEE TAVERN

	COCKTAILS
	<p>The Hugo Gin, elderflower, mint, cucumber, soda. A long-time favourite that we couldn't let go, slightly stronger than the original.....7.5</p>
	<p>Tommy's Margherita Aqua Riva tequila, lime juice and agave syrup. Created in the early 90's by Julio Bermejo and named after the family's famous tequila bar in San Francisco.....7.5</p>
	<p>Chartreuse Coupe Green Chartreuse, pineapple & thyme syrup, fresh lime juice. Based on the receipe created by Marco Dionysos, we favour thyme over velvet falernum for a more herbal approach.....7.5</p>
	<p>Brit Spritz Kamm & Sons, prosecco, elderflower, soda. A British take on a classic Italian aperitif, created by Alex Kammerling.....8</p>
	<p>Barrel aged Negroni Gin, Campari, sweet vermouth. An all-time great. Invented in Florence, Italy in 1919, at Cafe Casoni. When Count Camillo Negroni asked bartender Fosco Scarselli to strengthen his favourite cocktail, the Americano, by adding Gin rather than the normal soda water.....8/16</p>
	<p>Bicyclette Picpoul de pinet, Campari. A simple and elegant aperitif, the perfect stimulant before a meal.....7</p>
	<p>Smoked Maple Old Fashioned Bourbon, maple syrup, apple wood smoke. A sweet yet smoky take on a classic, for a true taste of the American south.....7.5</p>
	<p>Spiced Raspberry Cooler Raspberry and peppercorn syrup, vodka, Punt e Mes, lemon juice, soda. A rich fruity mix served long with a splash of soda. Perfect on a summers day.....8</p>
	<p>London Grog Gin, grapefruit cordial, Pilsner Urquell. Originally drank by sailors on long voyages, they would sweeten stagnant water with a weak beer. Thankfully we left out the stagnant water and went for a London dry gin instead.....6.5</p>

COFFEE TAVERN

	COCKTAILS
	<p>Pink Ginger Grapefruit and rosemary infused gin, house ginger ale. Infused in house and served long over ice with ginger ale....7.5</p>
	<p>Ume Sour Japanese Nikka whisky, plum sake, lemon juice, plum and lemon grass cordial, egg white. Literally translated as 'plum sour' using only the finest ingredients this oriental drink as refreshing as it is complex.....9</p>
	<p>Espresso Martini Vodka, Kahlua, espresso. There are several claims as to the origin of this drink, all we know for sure is it is London born and bred and we'd be silly to leave it out.....8</p>
	<p>Barrel aged Manhattan Bourbon, sweet vermouth, maraschino, bitters. This drink has been around since the 1800's and still going as strong as ever. Aged for a minimum of 30 days in oak.....8.5/17</p>

HOUSE COOLERS, BELLINI'S, MARTINI'S			
All syrups are infused in house and form the base of our virgin coolers, belini's and martini's.			
Pink grapefruit.....	2.8	6.5	8.5
Elderflower & mint.....	2.8	6.5	8.5
Pineapple & thyme.....	2.8	6.5	8.5
Raspberry & black pepper.....	2.8	6.5	8.5

COFFEE TAVERN

SPARKLING & CHAMPAGNE	125ml • 500ml • Bottle		
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Da Luca Prosecco.....	6.5	•	30
G.H Mumm.....	•	•	58
G.H Mumm Rose.....	•	•	65
Perrier Jouet Brut.....	•	•	69
Laurent Perrier Rose Cuvee.....	•	•	89

WHITE WINE	175ml • 500ml • Bottle		
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FRANCE

Viognier, La Campagne Languedoc Roussillon, France 2015.....	4.8	13.8	19
Pouilly Fume Cuvee de Boisfleury, Alain Cailbourdin Loire, France, 2014.....	•	•	37.5
Mercurey Blanc, Domaine Michel Juillot Burgundy, France, 2012.....	•	•	40
Chardonnay, Les Mougettes Languedoc Roussillon, France, 2015.....	•	•	24
Picpoul de Pinet, Domaine Roquemoliere Languedoc Roussillon, France, 2015.....	6.25	17.9	25
Sauvignon de Touraine, Domaine de Pierre Loire, France, 2014.....	6.85	19.6	27.5
Riesling, Trimbach Alsace, France, 2013.....	7.8	21.5	31

COFFEE TAVERN

WHITE WINE

175ml • 500ml • Bottle

REST OF EUROPE

Rioja Blanco, Vina Cerrada Rioja, Spain, 2015.....	5.5	15.7	22
Vinho Verde, Quinta de Lixa Vinho Verde, Portugal, 2014.....	5.75	16.4	23
Gruner-Veltliner, Erich Marchherndl Wachau, Austria, 2014.....	•	•	31
Gavi di Gavi, Ascheri Piemonte, Italy, 2015.....	•	•	35
Greco, Cirò Bianco Librandi, Calabria, Italy, 2014.....	•	•	26
Treixadura, Ailala Ailalá-Ailalelo, Ribério, Spain, 2013.....	•	•	28.5
Ortega, Kenton Devon, England, 2014.....	•	•	29.5

REST OF THE WORLD

Chardonnay, Crossroads Hawkes Bay, New Zealand, 2012.....	8.35	24.3	33.5
Sauvignon Blanc Reserve, Yealands Estate Marlborough, New Zealand, 2014.....	•	•	39
Chardonnay Howard Park, Western Australia, 2012.....	•	•	50
Semillon/Sauvignon, Humberto Canale Pategonia, Argentina, 2014.....	•	•	29
Chenin Blanc Reserve, Ken Forrester Western Cape, South Africa, 2015.....	•	•	29
Hand picked Gewurztraminer, Skilloalee Clare Valley, Australia, 2014.....	•	•	34

COFFEE TAVERN

ROSE	175ml • 500ml • Bottle		
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Granfort Rosé de Cinsault Pays d'Oc, France, 2015.....	5	14.3	22
Más Amor Rosado Massard, Catalunya, Spain, 2014.....	•	•	27
Le Pas Du Moine Rosé Gassier, Provence, France, 2014.....	7.8	22.3	32

RED WINE	175ml • 500ml • Bottle		
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FRANCE

Carignan/ Grenache, Garnacha Le Bosq Rouge, Languedoc-Roussillon France, 2015.....	4.8	12.9	19
Gamay, Beaujolais Tradition V.V Domaine de Vissoux, Beaujolais, France, 2015.....	•	•	33
Cornas 'Harmonie' Domaine Guy Farge, Rhone Valley, France, 2014.....	•	•	60
Grenache Domaine de Monastir Côtes Catalanes, Languedoc Roussillon, France, 2015....	•	•	23
Côtes-du-Rhone, Domaine Brusset Rhone, France, 2015.....	6	17.1	24
Merlot, La Galinière Château du Donjon, Languedoc Roussillon, France, 2014.	6.5	18.6	26

REST OF EUROPE

Sangiovese/ Merlot, Bonizio Toscano Rosso Tuscany, Italy, 2013.....	•	•	24
Baluarte Roble, Chivite Family Estate Navarra, Spain, 2015.....	•	•	24.5
Monastrell Reserva, Mas Delmera Jumilla, Spain, 2009.....	6.8	19.4	27
Castro Douro Quinta de Crasto, Portugal, 2014.....	•	•	30

COFFEE TAVERN

RED WINE	175ml • 500ml • Bottle		
Pinot Noir/ Rondo/ Regent, Cellar Key Mount Vineyard, Kent, England, 2013.....	•	•	34
Nero d'Avola, Frappato Cerasuolo di Vittoria Planeta (great chilled), Sicily, Italy, 2014.....	•	•	35
Rosso di Montepulciano Poliziano, Tuscany, Italy, 2014.....	•	•	29
REST OF THE WORLD			
Pinot Noir, Winemaker Reserve Gibbston Valley, Yealands, New Zealand, 2014.....	•	•	41
Cabernet Franc, Seleccion de Familia Humberto Canale, Patagonia, Argentina, 2012.....	•	•	44
Aglanico, Chalmers Victoria, Australia, 2011.....	•	•	49
Pinot Noir, Alder Springs Spell, California, USA, 2014.....	•	•	78
Cabernet/ Calladoc/ Syrah/ Temp' Altitudes Red Ixsir, Bekaa, Lebanon [Eurasia], 2011.....	•	•	40
Cabernet Sauvignon, MAN Vintners Western Cape, South Africa, 2013.....	5.9	16.9	23.5
Malbec, Melodias Trapiche, Mendoza, Argentina, 2014.....	6.5	18.6	26
Shiraz/Cabernet Spice Trader Heartland, South Australia, Australia, 2013.....	•	•	32
Carmenere Reserva, Falernia Elqui Valley, Chile, 2013.....	•	•	35
Cabernet Sauvignon, Cannonball California, USA, 2012.....	•	•	39

COFFEE TAVERN

SINGLE MALTS			BOURBON, JAPANESE, RYES		
Glenkinchie 12yo,[Lowland].....	5		Knob Creek.....	4.8	
Dalwhinnie 15yo,[Highland].....	5		Woodford Reserve.....	4	
Highland Park 12yo,[Island]....	4.8		Buffalo Trace.....	3.8	
Isle of Jura 10yo,[Island].....	4.8		Bulleit.....	3.8	
Macallan gold [Speyside].....	5.5		Bulleit Rye.....	4.4	
Laphroig [Islay].....	6		Hibiki 17yo.....	10	
Langavulin 16yo,[Islay].....	6		Yamasaki 12yo.....	6.5	
Talisker 10yo,[Island].....	5		Nikka.....	8	
Glenmorangie 10yo,[Highland]..	4.8		ARMAGNAC, COGNAC & CALVADOS		
Glenfiddich 15yo,[Speyside].....	6		Remy VSOP.....	6	
Bushmills 10yo.....	3.6		Hennesy XO.....	10	
Chivas Regal 12yo,[Speyside]..	4.2		Janneau VSOP.....	4.2	
Cragganmore [Speyside].....	5.5		Boulard Grand Solage Calvados.....	4.1	
DRAUGHT	ABV • Price		BOTTLES	ABV • Price	
Pilsner Urquell.....	4.4	5.3	Doc's draft cider (650ml)	5.5	8.5
Harpoon IPA.....	5.9	5.8	Bronx Session.....	5	4.6
Oatmeal Stout.....	5.1	4.9	Bronx Rye Ale.....	6.4	4.9
Amstel.....	4.1	4.5	Anchor Steam.....	4.9	4.8
Symonds Founders.....	5.5	4.6	Goose Island Ale.....	4.3	4.4
Lawless	5	5.3	Meantime London Lager..	4.5	4.6
Renegade.....	5	4.9	Meantime Wheat NRB....	5	4.9
Heineken.....	5	4.8	Sam Adams Lager NRB..	4.8	4.4

APPENDIX 2

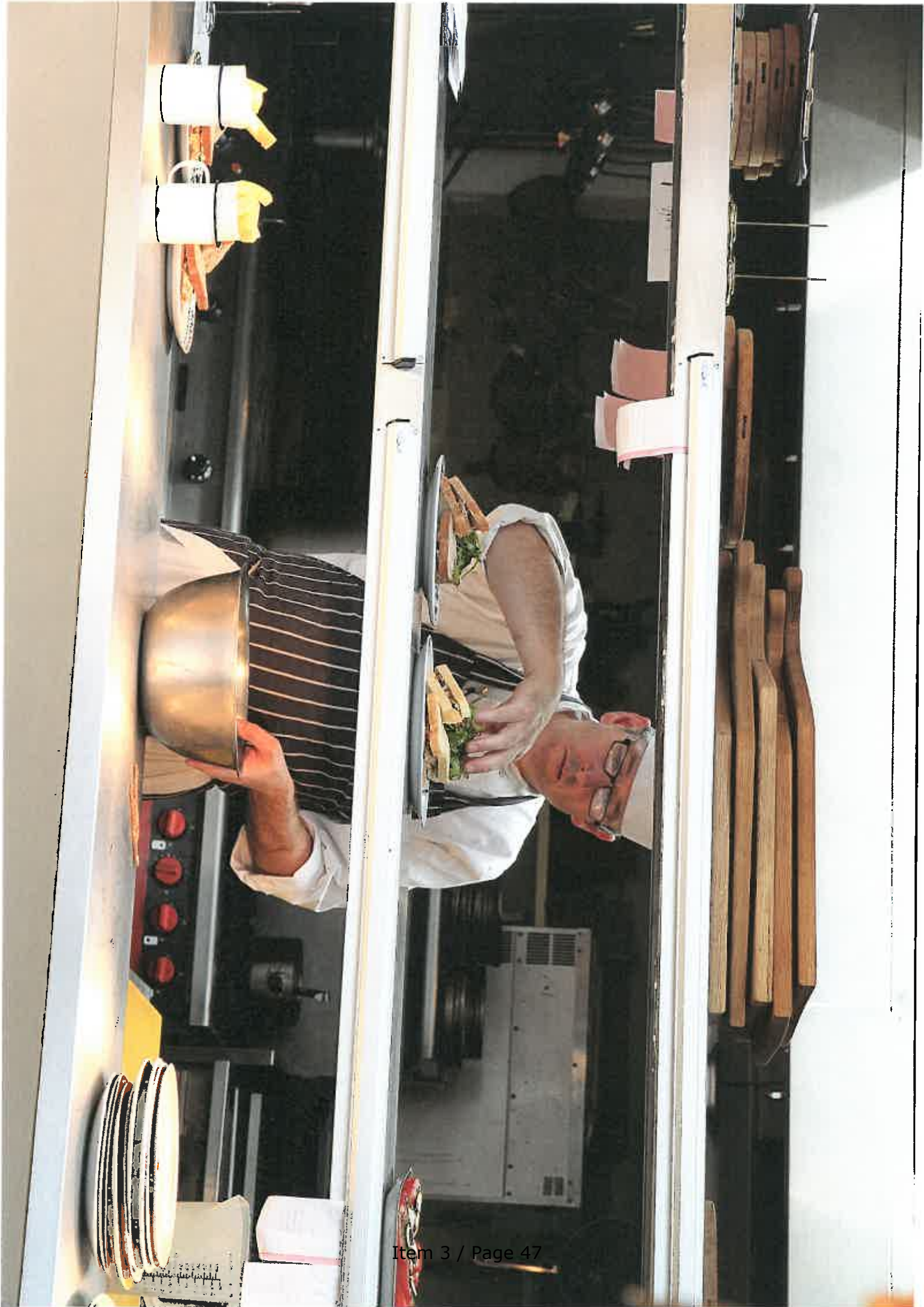








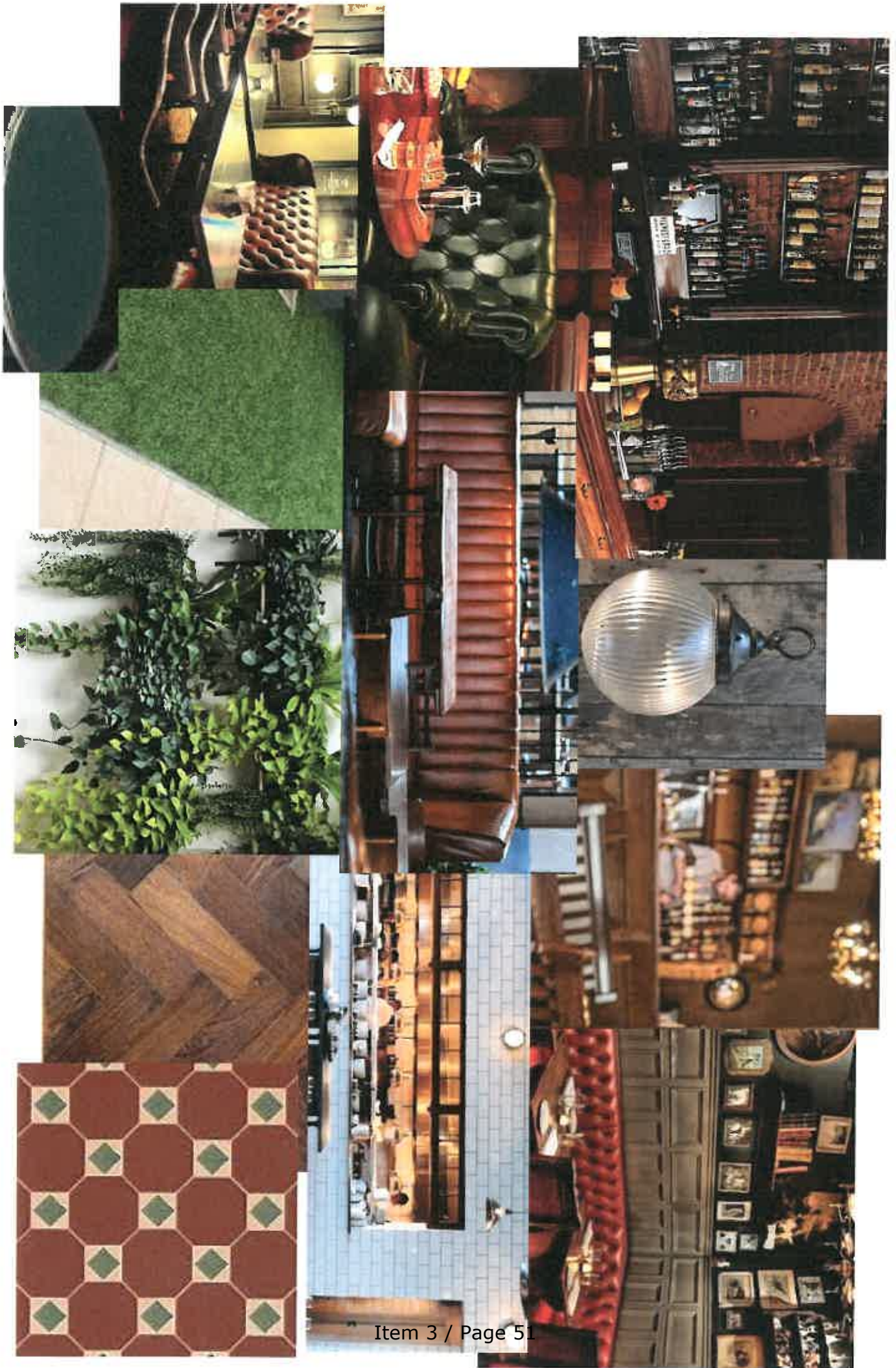








APPENDIX 3



Appendix 4



Dispersal Procedure

Name of Premises: Coffee Tavern
Location: 16 The Old Square, Warwick CV34 4RA

City (Pioneer) Pub Company acknowledges that popular venues are potential sources of nuisance, antisocial behavior and crime which may create concern for the immediate neighborhood, its residents and the relevant authorities.

The Dispersal Procedure is not to be confused with The Evacuation Procedure, any design standard, any other operational policies or any agreed/enforced rules or guidelines.

The Dispersal Procedure (around the terminal hour) is dedicated to make the maximum contribution by exercising pro-active measures, towards and at the end of trading, to move customers from the venue and its immediate area in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour and crime.

This procedure document is specific to this venue and its locality.

The Dispersal Procedure has been formulated by the management.

The Dispersal Procedure is subject to review and will address problems and concerns as they are identified in order to establish a permanent reduction or elimination of them.

Dispersal Procedure Document

1. Relevance of Drinking Up Time:

We will ensure that the terminal hours stipulated on the Premises Licence are strictly adhered to with 30 minutes 'drinking up time' to encourage the dispersal of patrons gradually. Guests will be advised of closing 15 minutes prior to allow them notice to finish up

2. End of Evening Operational Policies:

We will consider usage of volume levels, type of music played and usage of lighting levels to encourage the gradual dispersal of patrons during the last part of trading and during the drinking-up period.

3. Notices at Exit:

Highly visible notices are placed in the main lounge requesting exiting customers to leave quietly and to respect neighbours and their property.

4. Management:

A member of management will be available before and after closing time to ensure all guests are aware of closing times and are respectful to the surrounding area upon exit

7. Waste Management

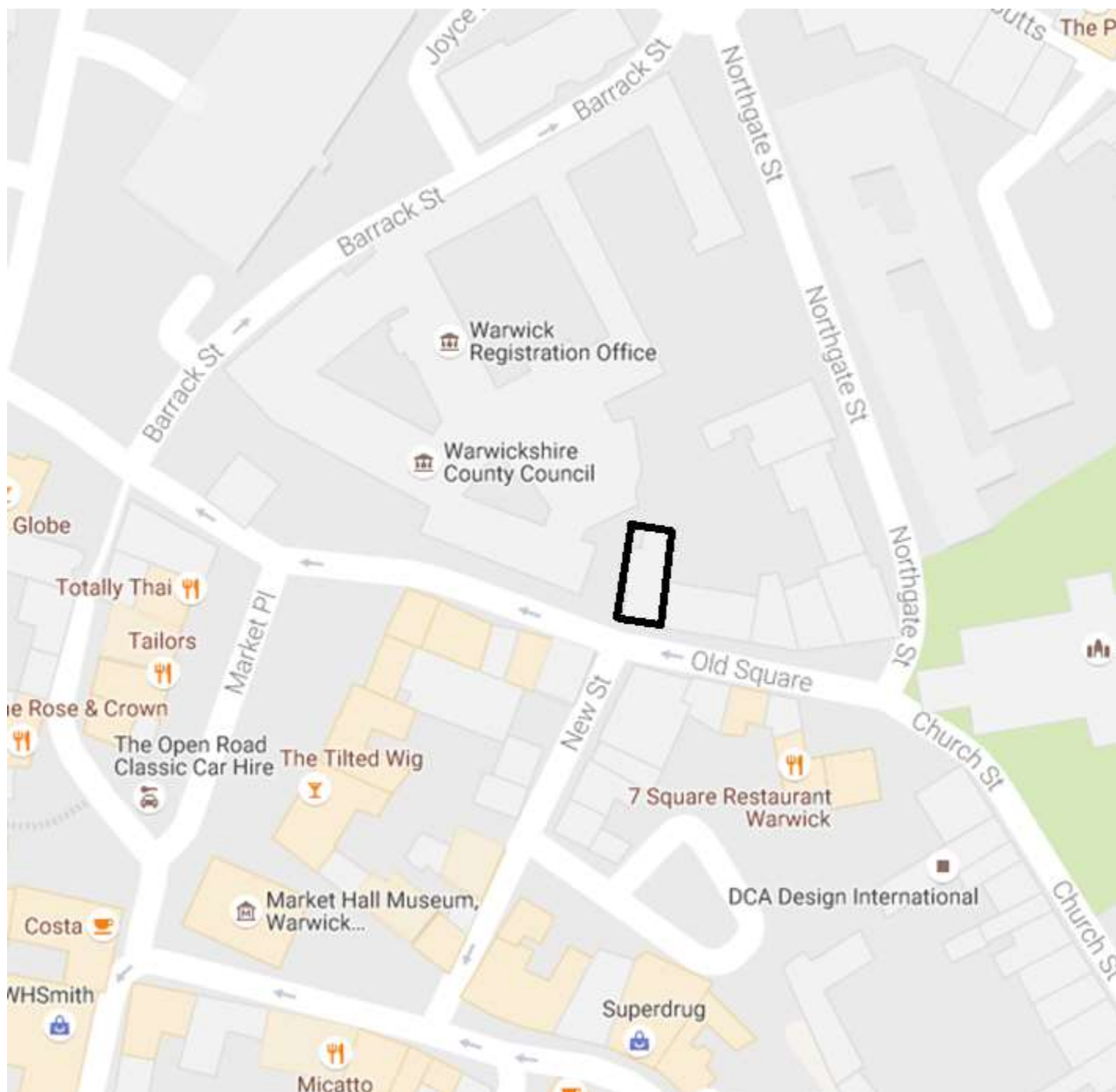
The venue will monitor waste after close. They will survey the immediate surrounding area and clear up any waste that has been left behind by guests. They will ensure that no guests are left loitering in the immediate vicinity.

8. Staff:

Consideration will be given to procedures for staff departures, ensuring they leave in a timely, respectful manner.

9. Training:

Training at all levels will be conducted to ensure understanding and implementation of this unit specific Dispersal Procedure with the whole team working actively to disperse guests quietly, safely and efficiently.









STATEMENT OF LICENSING POLICY

**Reviewed May 2014 &
Approved by Warwick District Council on 25 June 2014**

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1. Summary and purpose

- 1.1 Warwick District Council (the Licensing Authority) makes this Statement of Licensing Policy in pursuance of its duties and powers under the Licensing Act 2003, (the Act) and the guidance issued under Section 182 of the Act.
- 1.2 Warwick District Council (WDC) is situated in the south of Warwickshire in the centre of England. Appropriately for England's heartland, Warwick District Council's boundaries are roughly heart-shaped, embracing an area of some 28,253 hectares with a population exceeding 138,000 people. The District covers four towns, Royal Leamington Spa, Warwick, Kenilworth and Whitnash as well as a large rural area with 18 Parish Councils. It is acknowledged that the town centres have a large proportion of residential premises.
- 1.3 The policy will relate to current legislation, and, where possible, to local factors, allowing flexibility and the potential to expand and augment the local economy and promote cultural issues.
- 1.4 The aim of this Policy is to demonstrate how WDC, will promote the four licensing objectives. These objectives are:
- prevention of crime and disorder;
 - public safety;
 - prevention of public nuisance; and
 - protection of children from harm.

WDC recognises that the promotion of the Licensing Objectives relies heavily on a partnership between license holders, authorised persons, responsible authorities and other persons in pursuit of common aims.

- 1.5 In making this Policy, the Licensing Authority recognises the following:-
- that residents within, and visitors to the District, need a safe and healthy environment to live, work and visit; and
 - that safe and well run entertainment premises are important to the local economy and vibrancy of the District.
- 1.6 This Statement provides guidance to Responsible Authorities, applicants for and holders of premises licences, objectors and residents on the general approach that the Licensing Authority will implement through its Licensing Committee
- 1.7 When making its decisions on licensing applications, the Licensing Authority will have regard to the matters contained in this Statement, the Act, the guidance issued under section 182 of the Act, the provisions of the Human Rights Act 1998 and in particular, Article 6 (right to a fair and public hearing); Article 8 (right to respect for home, private and family life) and Article 1 of the First Protocol (right to peaceful enjoyment of property and possessions), and the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000.
- 1.8 This Statement covers the period up to 30th August 2018 and will be kept under review and revised as required, following consultation where necessary.

2. Licensing Policy & South Warwickshire Community Safety Partnership

- 2.1 The 1998 Crime and Disorder Act and subsequent amendments require the Police and local authorities to work together and with others to reduce crime and disorder. To this end, Crime & Disorder Reduction Partnerships were formed and are now called Community Safety Partnerships.
- 2.2 South Warwickshire Community Safety Partnership (SWCSP) was formed in September 2008 when the district crime and disorder partnerships for Stratford & Warwick districts merged following years of close collaboration. The vision statement for SWCSP is *‘that the districts should be an attractive, environmentally sustainable, desirable area to live in, work and visit, with a sense of safety which reflects the low risk of becoming a victim of crime in the area’*.
- 2.3 Tackling violent crime has remained a priority in Warwick District since 1998 with Leamington Town Centre as the main focus of partnership activity. Tackling violent crime and specifically street violent crime is one of three SWCSP priorities. A 60 point partnership action plan is in place to reduce violent crime and rowdy behaviour in our town centres.
- 2.4 The policy of working with licensees in South Warwickshire has delivered national best performance and practice.
- 2.5 The age group most likely to be victims and perpetrators of violent crime is 18-30. A key initiative to engage with this group is Operation ‘Your Town, Your Choice’ which takes place on pay-day weekends in hot-spots at the busiest times of 9pm to 4am. An early intervention approach is used utilising direct to leave dispersal authorities together with designated public places powers and has a real impact on reducing violence and rowdy behaviour.
- 2.6 This best example of partnership working across all agencies in South Warwickshire illustrates the commitment to tackling on-street violent crime. In addition enhanced policing, Street Marshals, Street Pastors and CCTV control rooms support this approach.
- 2.7 Joint Licensing Enforcement visits are a key feature of these evenings ensuring that licensees are taking their responsibilities seriously. Engagement with 18 to 30 year olds is carried out on roads closed to traffic. Health related activities are offered in exchange for completing questionnaires on particular themes, for example, pre-loading. Results from these activities and questionnaires inform how and when the hot-spots are staffed and how young people can be assisted in having an enjoyable and safe night. A unique partnership pilot with St John Ambulance Service has provided a care and repair service on busy nights in Leamington called ‘The Cabin’ and staffed by up to 10 volunteers.
- 2.8 A further developing part of this approach is the Street Pastor Scheme introduced in 2013. The scheme provides a vital service, and integrates well into the overall multi-agency approach adopted. Further information about Street Pastors may be obtained on their website at www.leamingtonspa.streetpastors.org.uk

3 Delegation of Functions for Regulatory Matters

- 3.1 The Council has established a Licensing Committee with delegated powers to deal with licensing matters
- 3.2 The Licensing Committee has delegated the decision making to Licensing Panels when a hearing is required. These Panels are sub-committees consisting of three members of the full Committee. All other matters that do not require hearings have, upon Home Office advice, been delegated to officers.

4 Further Strategies

- 4.1 WDC has adopted the following strategies that it feels will help it to achieve its desired goals:
- It will work together with all partners as well as local businesses and residents to try to achieve an acceptable level of harmonisation between the two, accepting that this may not always be possible.
 - It accepts that an active and successful Crime and Disorder Partnership is one of the key factors in achieving its desired goals.
 - It recognises the importance of working with other agencies and holds and organises a Multi- Agency Licensing Group on a regular basis to discuss any problems that may arise within its district.
 - The value of action plans as a method of obtaining compliance from premises is recognised and used whenever they become necessary.
 - An Enforcement Policy which incorporates the Regulator's Compliance Code has been adopted. Both of these may be found on WDC's website,
 - In recognising the need to minimise late night noise nuisance, WDC would expect that after 23.00 all persons outside the premises would move indoors, and that any sound, amplified or unamplified, from within the premises should not disturb residents in neighbouring domestic properties. However, any conditions added to the premises licence to achieve this aim will be proportionate, enforceable and relevant to that particular premise.
 - WDC has adopted a special policy addressing the cumulative impact of the number of licensed premises in Leamington Spa Town Centre. Full information on this policy may be found at paragraph 10 below.

5. The four Licensing Objectives

5.1 Prevention of Crime and Disorder

- 5.1.1 In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions, and to do all it reasonably can to prevent crime and disorder in the District.
- 5.1.2 The Licensing Authority will expect all licensed premises to be managed responsibly.

- 5.1.3 When considering applications for premises licences for late night refreshment the Licensing Authority will take into account the potential for high levels of disorder that this type of premises may cause to the night time environment.
- 5.1.4 The Licensing Authority will consider attaching conditions to licences and certificates to prevent crime and disorder. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place. Any conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.
- 5.1.5 The Licensing Authority recognises that there are a number of mechanisms for addressing unlawful or anti-social behaviour that occurs away from licensed premises, qualifying clubs and temporary events. These include:–
- planning controls;
 - enforcement of Environmental Protection legislation (e.g. on noise nuisance);
 - positive measures to provide a safer and clean town centre;
 - environmental controls, in partnership with local businesses, transport operators and other departments of the Council;
 - powers to designate parts of the District as restricted alcohol areas
 - police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices;
 - dispersal of people quickly and safely from town centres to avoid concentrations which may produce disorder and disturbance;
 - the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
 - confiscation of alcohol from adults and others in designated areas;
 - all current police and local authority powers of closure in force at the time
 - the power of police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

5.2 Public safety

- 5.2.1 The Licensing Authority will consider attaching conditions to licences and certificates to promote public safety. Any such conditions will be tailored to the style and characteristics of the premises and the type of activities expected to take place there and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

5.3 Prevention of public nuisance

- 5.3.1 The Licensing Authority will take an objective view as to the potential for nuisance and will seek to attach appropriate and proportionate conditions to licences and certificates where necessary in order to prevent it. The conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place there. In each individual case that arises following representation, the Licensing Authority will:
- consider the potential for nuisance associated with the style, characteristics and activities of the licensable activity involved;
 - examine the potential steps which could be taken to reduce the risk of nuisance, particularly in areas of dense residential accommodation; and

- consider restricting the hours of the licence or the licensable activity only as a last resort because of the potential impact on disorder and anti-social behaviour from fixed and artificially early closing times.

5.3.2 By way of guidance, the Licensing Authority would expect that after 23.00 all patrons of a licensed premises will move indoors, and any amplified sound to be inaudible in neighbouring domestic properties.

5.3.3 Any exceptions to this would need to be justified in an operating schedule showing how the licensing objectives were still being achieved.

5.3.4 The Licensing Authority expects that premises should usually be closed within half an hour of the end of the last licensable activity.

5.3.5 The Live Music Act 2012 removed live music from the scope of the Licensing Authority, subject to the satisfaction of certain criteria, so it is recognised that its controls in this respect have been reduced. However, conditions may be added or reinstated at a review hearing which will bring live music for that particular premises into the licensing regime. This means that it would be within the licensing Authority's powers, at a review hearing, to place a condition on the premises licence prohibiting the playing of live music at any time. This may arise, for example, if the premises is not suitable for the live music being played; or if frequent disturbance is being caused by the music.

5.4 Prevention of Harm to Children

5.4.1 Nothing in this statement of policy limits the access of children to licensed premises unless it is necessary for the prevention of harm to children. However, this authority does not consider that children should be encouraged to mix in areas that are frequented by the adult drinking public, such as busy town centres. For this reason, birthday parties, etc., for the 18 and under demographic will be actively discouraged in these area.

5.4.2 Areas that may give rise to particular concern in respect of children include premises:

- With a known association with drug taking or dealing;
- Where there is a strong element of gambling on the premises;
- Where entertainment of an adult or sexual nature may be provided (e.g. topless bar staff, striptease, lap/table/pole dancing, strong and offensive language).

5.4.3 It is acknowledged that complete exclusion of children will be rare but the options to be considered by the Council for limiting access of children, where regarded as necessary for the prevention of harm to children, may include any of the following:

- Limitations on the hours when children may be present;
- Age limitations (below 18);
- Limitations or exclusions when certain activities are taking place;
- Restrictions or exclusions in respect of parts of premises;

- Requirements for an accompanying adult;
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

5.4.4 The Licensing Authority cannot impose conditions requiring the admission of children to any premises. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club.

5.4.5 In the case of premises giving film exhibitions, the Licensing Authority expects licensees or clubs to include in their operating schedules arrangements to ensure that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classifications.

5.4.6 Where a number of children are expected to attend regulated entertainment (e.g. theatre production, 'junior disco', film shows), the Licensing Authority may consider the need to require a specified number of adults to be present at the place of entertainment to control the access and egress of children and to assure their safety. The number of adults required will need to be calculated on the basis of a risk assessment by the applicant and will need to take into consideration the size of the venue, the number and ages and ability of the children present and the type of activity involved. These matters will need to be addressed by the applicant as part of the operating schedule.

5.4.7 The Licensing Authority will consider attaching conditions to licences and certificates to prevent harm to children. Such conditions will be appropriate to the premises and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

5.4.8 The Licensing Authority expects all premises to comply with statutory conditions requiring that a policy must be adopted, laying out how they will address underage drinking. This must be shown in the operating schedule of any premises licence application or variation.

NOTE: In the event of any variation submitted to remove any conditions where a hearing is necessary, evidence would be expected to be submitted to the Licensing Panel by the applicant that the change would not impact on the licensing objectives

5.5 Health

5.5.1 The Licensing Authority recognises the role of Public Health England acting in its role as a Responsible Authority. Public Health England can make representations in response to either a full licence application or an application for a variation in the conditions of an existing licence. They can also call for the review of a licence if they feel it breaches a licensing objective. Any representation must relate specifically to the premises in question and cannot be a general objection.

5.5.1 Representations made by Public Health England must be evidence-based and must demonstrably refer to one or more of the licensing objectives. As there is currently no licensing objective directly relating to public health, Public Health England must ensure their representations are relevant to one of the four existing objectives.

5.6 The Licensing Authority as a Responsible Authority

- 5.6.1 The Licensing Authority are empowered to make representations against new applications for and variations applications to premises licences, as well as call for a review.
- 5.6.2 A procedure has been put into place to ensure that any representation made by the Licensing Authority as a Responsible Authority will be made without prejudicing its ability to determine the application in a fair and objective manner.

6. Other Considerations

6.1 Live Music, Dancing & Theatre

- 6.1.1 This Policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues, the potential for disturbance to residents will try to be balanced with the wider cultural benefits to the wider population.

6.2 Integration of Strategies

- 6.2.1 The Licensing Authority will secure the proper integration of this policy with local crime prevention, anti-social behaviour away from licensed premises, planning, transport, tourism and cultural strategies by:
- Liaising and consulting with Warwickshire Police, Community Safety Forum, and considering any guidance from the crime and disorder strategy document; and
 - Liaising and consulting with the appropriate Council Officers, the Planning Committee, the Executive, and considering guidance in the Local Plan.
- 6.2.2 Specific conditions may be attached to premises licences, where appropriate, to reflect local crime prevention strategies. Such conditions may include
- the correct use of well installed closed circuit television cameras;
 - the provision and use of shatterproof drinking receptacles;
 - a drugs and weapons search policy;
 - the use of ID scanners
 - the use of registered door supervisors;
 - specialised lighting requirements;
 - restrictions on hours of opening and licensable activities.
- 6.2.3 Certificates issued to club premises will reflect local crime prevention strategies and may include any or all of the requirements listed above. The Licensing Authority will have regard to any local orders and/or strategies relating to street drinking.

7 Other regulatory regimes

- 7.1 This policy will avoid duplication with other regulatory regimes wherever possible. The following advice relates to specific regimes but is not exhaustive:-

7.2 Health and Safety

- 7.2.1 Premises will normally have been visited by the Council's Health and Community Protection inspection staff with regard to health and safety enforcement at the premises. Certain premises will not fall under this regime and will be the subject of health and safety enforcement by the Health and Safety Executive (HSE). These regimes place a range of general and specific duties on employees, employers, operators of venues and members of the public. Matters arising out of the Health and Safety at Work etc Act 1974 and associated Regulations should not be the subject of conditions that duplicate statutory H&S requirements.

7.3 Fire Safety

- 7.3.1 Premises and their operators will have statutory duties under the current fire safety regime to ensure the safety of patrons visiting the premises. The operating schedule should state the precautions that will be taken to ensure the safety of the public.

7.4 Food Hygiene

- 7.4.1 Premises selling alcohol and/or premises engaged in a food business must be registered with WDC and subject to risk-based food hygiene inspections at regular intervals. The inspections are carried out by the council's Health and Community Protection officers.

7.5 Noise

- 7.5.1 Statutory and public nuisances are dealt with by the Council's Health and Community Safety Section under the Environmental Protection Act 1990 and associated legislation.

7.6 Planning

- 7.6.1 Premises that apply for a licence or a variation of a licence should be aware that they may also need planning permission to carry out the activities applied for.

8 Standard Conditions

- 8.1 The Licensing Authority does not support the use of blanket conditions which, if imposed, may be seen as disproportionate and overly burdensome. Conditions attached to licences will be tailored to the individual styles and characteristics of the premises and events concerned and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

9 Enforcement

- 9.1 Inspections of premises will be on a risk assessed basis, to be undertaken when and if judged necessary, assisted by information provided by the Multi Agency Licensing Group.

10 Special Policy Regarding Cumulative Impact

- 10.1 The Licensing Authority recognises that there is a difference between the cumulative impact of premises and commercial need. The latter is a function of market forces and is not a factor the Council may take into account in the discharge of its licensing function.
- 10.2 The Licensing Authority adopted a special policy regarding cumulative impact in November 2005 at the commencement of the Licensing Act 2003 where it considered that a significant concentration of licensed premises would have an impact on the licensing objectives and granting of further licences in that area would add to this impact. When adopting the special policy reference to the steps outlined in the relevant part of the guidance issued under section 182 of the Act.
- 10.3 The Licensing Authority formed two saturation zones, based on information supplied in 2005 on crime and disorder and other related matters. The area and its necessity has been ratified by further figures supplied to the Licensing Authority in January 2009 as part of its review of the cumulative impact policy.
- 10.4 The two zones, when joined together, form the same area as the Leamington Safer Neighbourhood area. In the interest of clarity and transparency, the two zones have been amalgamated into one cumulative impact zone. Properties on both sides of any road which borders the zone are deemed to be included within the zone. A plan of the zone may be found at the end of this policy as Appendix 1.
- 10.5 It is considered that the cumulative impact of further new licences in this zone may lead to the area becoming further saturated with premises of a certain type, including pubs, clubs, takeaways and off licences, making the area a focal point for large groups of people, thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves.
- 10.6 The special policy regarding cumulative impact will not be used to try to revoke an existing licence or certificate when representations are made about the way the premises are being operated. However, the special policy may be a justification to refuse an application or to vary a licence or certificate.
- 10.7 The Licensing Authority will not operate a quota of any description including the special policy, that would pre determine an application. Each application will be considered on its individual merits. Proper regard will be given to the contrasting styles and individual characteristics of the premises concerned, and the differing impact they will have on the local community.
- 10.8 If an application for a premises licence within the cumulative impact zone is made, the Licensing Authority will expect the applicant to demonstrate in their operating schedule, the steps to be taken to prevent problems of nuisance and public safety and the steps to be taken to promote the reduction of crime and disorder. **The onus of proof will be on the applicant to show that the application will not impact on the four licensing objectives**

10.9 The Licensing Authority will consider the individual merits of all applications and where it feels to grant the application would be unlikely to add significantly to the cumulative impact in light of the licensing objectives, the Licensing Authority may grant the application.

10.10 The policy will be subject to review.

11 Responsible Authorities

11.1 A list of contact details for Responsible Authorities authorised under the Act is attached to this policy as Appendix 2.

11.2 Responsible Authorities are able to make representations regarding new or variation applications for premises licences and also to seek a review of a current premises licence.

11.3 Representations will only be relevant if they relate to one or more of the licensing objectives referred to in paragraph 5.

12. Early Morning Restriction Orders (EMROs) and Late Night Levy (LNL)

12.1 Following a report from officers, Warwick District Council's Licensing Committee recommended to full Council that it was felt, at the current time, the application of a LNL or EMROs was not appropriate for the council's area.

12.2 The Licensing Committee's recommendation was accepted by full Council during 2013.

12.3 However this Council, in March 2014, has requested officers to review the situation subsequent to Central Government's current consultation on licensing matters and to bring forward an updated report at the earliest possible time on the implications of introducing a late night levy in Warwick District.

13 Restricted Drinking Zone

13.1 The Criminal Justice and Police Act 2001 includes a number of powers to combat crime and disorder, including measures to deal with alcohol related problems. The act gives local authorities the power to designate areas 'Restricted Drinking Zones' where it will become an offence for any person to drink alcohol after being requested not to do so by a police officer.

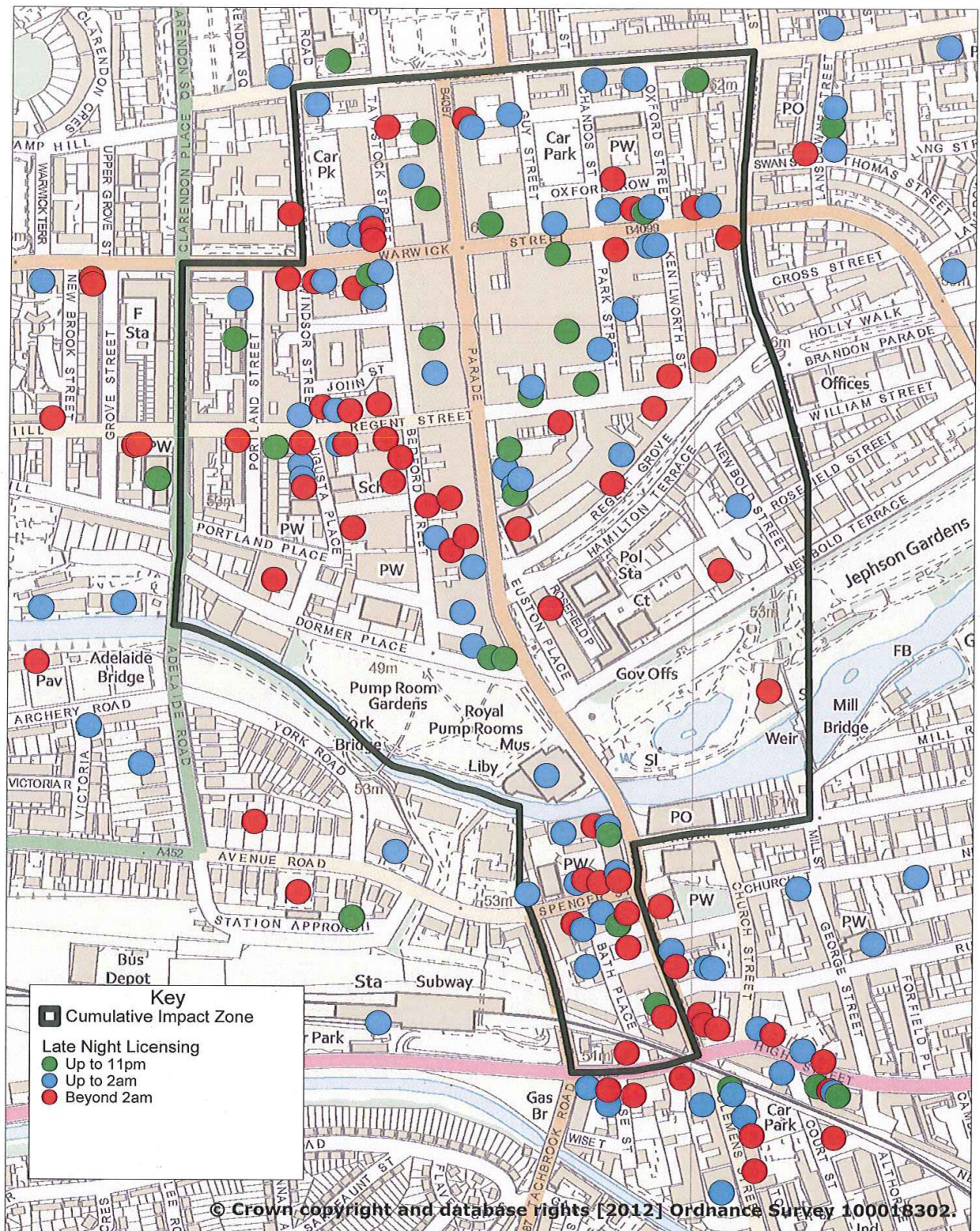
13.2 The entire area covered by Warwick District has been designated a Restricted Drinking Zone.

13.2 This means that, anywhere in the district, it is an arrestable offence to fail, without reasonable excuse, to comply with a police officer's request to cease drinking alcohol. The police also have the power to confiscate and dispose of any alcohol and containers in the person's possession.

14 Further Information

- 14.1 The Licensing Authority has produced guidance documents for applicants.
- 14.2 The Council's Health and Community Protection Section offers advice on the process for, and, progress of, applications and as to whether particular activities need to be licensed. If detailed advice on the requirements of the legislation and how it affects you and your premises is required, independent legal advice should be sought.
- 14.3 The granting of a licence under the Licensing Act 2003 does not obviate the need for permissions or consents required under other legislation.

Appendix 1 – Cumulative Impact Zone (current for 2013)



Late Night Licences & Cumulative Impact Zone

Scale: 1:5000

Date: 16 October 2012

Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire. CV32 5HZ

Tel: 01926 410410



Appendix 2 – List of Responsible Authorities

POLICE:

Chief Officer of Police
Warwickshire Police Licensing Team
Warwickshire Justice Centre Leamington Spa
Newbold Terrace
Leamington Spa
Warwickshire
CV32 4EL

Tel: 01926 684033

Fax: 01926 684038

Email: Liquor.Licensing@warwickshire.pnn.police.uk

FIRE AUTHORITY:

County Fire Officer
Warwickshire Fire & Rescue Service
Warwick Street
Leamington Spa
CV32 5LH

Tel: 01926 423231

E.Mail: firesafety@warwickshire.gov.uk

ENFORCEMENT AGENCY FOR HEALTH AND SAFETY:

Regulatory Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456707

Email: ehsafety@warwickdc.gov.uk

AUTHORITY RESPONSIBLE FOR ENVIRONMENTAL HEALTH:

Environmental Sustainability Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456714

Email: ehpollution@warwickdc.gov.uk

THE LICENSING AUTHORITY:

Safer Communities Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill

Royal Leamington Spa
CV32 5HZ

Tel:
Email:

AUTHORITY RESPONSIBLE FOR PLANNING:

Gary Fisher
Group Leader Development Control
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456541
Email: gary.fisher@warwickdc.gov.uk

BODY RESPONSIBLE FOR THE PROTECTION OF CHILDREN FROM HARM:

Keith Edwards
Assistant Head of Service
Planning and Performance Children
Young People and Families Directorate
Saltisford Office Park,
Ansell Way
Warwick
CV34 4UL

Tel: 01926 731139
Email: sslicensingapplications@warwickshire.gov.uk

WARWICKSHIRE COUNTY COUNCIL (WEIGHTS & MEASURES):

Simon Coupe
Divisional Trading Standards Officer
Old Budbrooke Road
Warwick
CV35 7DP

Tel: 01926 414040
Email: simoncoupe@warwickshire.gov.uk

PUBLIC HEALTH ENGLAND:

Public Health Department (Licensing)
NHSWarwickshire/Warwickshire County Council
PO Box 43 – Shire Hall
Warwick
CV34 4SX

Email:
PublicHealth5PMPUBLICHEALTHWARWICKSHIREPCT@warwickshire.nhs.uk