

	Licensing Panel 21st September 2011	Agenda Item No.
Title	Application for a premises licence under the Licensing Act 2003 by Air Atlantique, Dakota House, Coventry Airport West, Coventry	
For further information about this report please contact	David Davies, Licensing Services Manager, Community Protection. Tel: 01926 456113. david.davies@warwickdc.gov.uk	
Service Area	Community Protection	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Relevant Director	07/09/2011	Roger Jewsbury
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance		
Portfolio Holder(s)	07/09/2011	Councillor Coker
Consultation Undertaken		
N/A		
Final Decision?	Yes	

1. SUMMARY

- 1.1 Under the provisions of the Licensing Act 2003 a premises that wishes to sell alcohol and provide regulated entertainment must apply for a premises licence.

2. RECOMMENDATION

- 2.1 Members are asked to consider the information contained in this report, and decide whether the application for a premises licence should be approved, and, if so, whether it should be subject to any conditions.

3. REASONS FOR THE RECOMMENDATION

- 3.1 Air Atlantique Ltd., has applied for a premises licence outside Hangar 7, Coventry Airport to permit the following:

- *The sale of alcohol (on and off the premises)*
12:00 (midday) to 21:00 Saturday and Sunday only
- *Live music and the performance of dance*
14:00 to 21:00 Saturday and Sunday only
- *The opening hours are shown as:*
12:00 (midday) to 21:00 Saturday and Sunday only

- 3.2 An operating schedule, which would explain any steps to be taken by the applicant to promote the four licensing objectives, and will form part of any premises licence granted has been submitted as follows:

General

Over 21 Policy adopted and adhered to.
Stewards and security agreed with the police
The event is over 21's only.

The Prevention of Crime and Disorder

Public Safety

Stewards and St Johns Ambulance will be present at all events.
Numbers are being kept to a handleable level, and all public access and exits will be clearly signposted and manned.

The Protection of Children from Harm

All events will be risk assessed for children, i.e. no access to bar areas, a supervised kids area.

- 3.3 Representations against the application have been received from Baginton Parish Council (Appendix 1)

3.4 The applicant has agreed conditions with both Warwickshire Police and Warwick District Council (Environmental Health) as Responsible Authorities. Both have withdrawn their representations provided that the agreed conditions are included in any premises licence issued. The conditions are:

- Security staff will be on duty at all times during the event and will be identifiable by hi-visibility jackets. All Security staff employed at the venue will be SIA registered and badge. There will be a minimum of one SIA staff member per 100 customers.
- Premises to keep a register of all SIA door staff working hours together with their individual door staff SIA badge numbers.
- The Personal Licence Holder will be on duty throughout the events and will be contactable by radio and mobile phone at all times. He is to make regular visits to all alcohol outlets to ensure that no licence conditions are being breached.
- Drunkenness or disorderly behaviour will not be tolerated, and any such person shall be required to vacate the premises by Security Staff.
- The venue has a zero tolerance towards drugs, and any person found in possession of illegal substances will be detained and the police will be notified. Posters will be displayed at the entrance points reinforcing this policy.
- At the conclusion of the event no open vessels will be permitted to leave the premises.
- All drinks will be supplied in disposable containers such as plastic cups or bottles thereby reducing the risk of injury through broken glass.
- Free drinking water will be available at all times
- At the end of any event an announcement must be made asking the audience to leave the area quietly and consideration given to local residents. Signs should also be displayed at the exit reinforcing this request.
- All alcohol outlets will be briefed before the start of the event and MUST adopt the 'Challenge 21' policy to prevent underage sales of alcohol.
- The premises has adopted the Challenge 21 Scheme and appropriate signage will be placed at the entrance to the premises and adjacent to any bar server. The premises will operate a policy whereby any person attempting to buy alcohol or any person attempting to gain entry to the premises who appears to be under 21 will be asked for photographic ID to prove their age. The only ID that will be accepted is a passport, driving licence with a photograph (this to be checked to ensure that it is not a provisional licence where the bearer could still be under 21) or an accredited proof of age card bearing the PASS mark hologram.

- Any children under the age of 18 years must be accompanied by a responsible person who has attained the age of 21. Any person under the age of 18 years showing signs of any alcohol consumption prior to entry, shall not be permitted access to the premises.
- Noise levels arising from regulated entertainment shall not be at such a level as to cause a statutory nuisance when measured one metre from the façade of the nearest noise sensitive premises.
- The premises music levels will, at all times, be fully controllable (i.e. bass/midrange/treble controls) and those controls shall only be accessible by the manager/DPS/or other competent member of staff/sound engineer.

3.5 A plan of the area that is required to be licensed is shown as Appendix 2 and a plan of the airport, showing the position of the area to be licensed in relation to residential properties is attached as Appendix 3

3.6 When considering the application the panel must give appropriate weight to:-

- a) The representations received.
- b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- c) The Council's Licensing Policy Statement (Appendix 4).
- d) The Licensing Objectives, which are:-
 - i) The Prevention of Crime and Disorder.
 - ii) Public Safety.
 - iii) The Prevention of Public Nuisance.
 - iv) The Protection of Children from Harm.

However, it should only consider those licensing objectives which have been referred to in the representations received.

3.7 The Council's Licensing Policy Statement provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure compliance with the four licensing objectives shown earlier. Each application will be judged on its own individual merits.

3.8 Details of the procedure adopted by the Licensing Committee for Panel Hearings has been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.

4. **ALTERNATIVE OPTION CONSIDERED**

4.1 No alternatives may be considered.

5. **BUDGETARY FRAMEWORK**

5.1 This report has no budgetary considerations for the Council.

6. **POLICY FRAMEWORK**

6.1 None

7. **BACKGROUND**

7.1 None.