

 <b>Licensing Panel - 3 June 2014</b>		<b>Agenda Item No.</b>  <div style="text-align: right; font-size: 2em;"><b>4</b></div>
<b>Title</b>	Application for the grant of a premises licence under the Licensing Act 2003 for SIP Coffee Co, 31 Regent Street, Royal Leamington Spa.	
<b>For further information about this report please contact</b>	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service	28/4/2014	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	28/4/2014	Michael Coker
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps - None		

## 1. SUMMARY

- 1.1 Warwick District Council Licensing Authority has received a valid application for a new premises licence from Mr Sundeep Bagga.
- 1.2 Representations have been received in relation to this application for the consideration of the panel in the determination of the application.

## 2. RECOMMENDATION

- 2.1 Members are asked to consider the information contained in this report and decide whether the application for the grant of a premises licence for 31 Regent Street, Royal Leamington Spa, should be approved and if so, whether it should be subject to any conditions.

## 3. REASONS FOR THE RECOMMENDATION

- 3.1 Mr Bagga applied for a premises licence on 27<sup>th</sup> March 2014. The table below shows what has been applied for.

	<b>Supply of Alcohol for consumption on the premises</b>	<b>Opening Hours</b>
<b>Monday to Saturday</b>	12:00 to 18:30	09:00 to 18:30
<b>Sunday</b>	12:00 to 17:00	10:00 to 17:00

- 3.2 An operating schedule which has been submitted by the applicant will form part of any licence issued has been supplied as follows:

### *General*

Training programme in place to ensure all staff are briefed on Licensing objectives.

No underage drinking or drunkenness on premises or outside of premises.  
Supply of alcohol for consumption on premises by waiter/waitress service.

### *The prevention of crime and disorder*

CCTV in operation.

No open vessels to be removed from the premises.

Camera shall cover all public areas.

Head and facial cover or recognition.

Recordable and retained for a minimum of 31 days.

### *Public safety*

CCTV in operation.

First Aid assistance.

Alcohol training records in place.

A zero tolerance policy towards anti-social behaviour.

### *The protection of children from harm*

The challenge 25. Customers will always have to prove their age by valid I.D.

Appropriate signage will be placed at the entrance to the premises.

Young children will be always put on high-chairs.  
Challenge log to show any refusal of sale of no I.D.

*The prevention of public nuisance*

No regulated entertainment shall be audible in any residential accommodation within the general structure of the premises.

- 3.3 The premises do not currently operate with any licensable activities and therefore would not need a premises licence. Due to there not being a licence at the premises information relating to complaints or incidents cannot be gathered. Street Marshalls do not operate during the time these premises are open and therefore information can also not be presented in relation to their involvement at the premises.
- 3.4. Relevant representations have been received from two local residents, attached as appendices 1 and 2.
- 3.5 **These premises are located within the Council's Cumulative Impact Zone. This means that the applicant must prove that the application will not impact significantly on any of the Licensing Objectives – it is not for anyone making representations to prove it will.**
- 3.6 A plan of the premises submitted by the applicant is attached as appendix 3 and a map of the area of the premises is attached as appendix 4.
- 3.7 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 (attached as appendix 5)
  - 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.

- 3.8 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.
- 3.9 Details of the procedure adopted by the Licensing Committee for Panel Hearings have 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. **BUDGETARY FRAMEWORK**

- 4.1 Any costs involved in any appeal could be levied against the Licensing Authority.

5. **ALTERNATIVE OPTION(S) CONSIDERED**

- 5.1 No alternatives may be considered

6. **BACKGROUND**

- 6.1 None