

# LICENSING PANEL HEARING

A record of a Licensing Panel hearing held on Wednesday 21 September 2011, at the Town Hall, Royal Leamington Spa at 2.00pm.

**PANEL MEMBERS:** Councillors Mrs Bromley, Kinson and Pratt

**ALSO PRESENT:** Max Howarth (Council's Solicitor), Emma Millward (Licensing Enforcement Officer) and Amy Jobling (Committee Services Officer).

## 1. **APPOINTMENT OF CHAIRMAN**

**RESOLVED** that Councillor Pratt be appointed as Chairman for the hearing.

## 2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

## 3. **APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR AIR ATLANTIQUE, DAKOTA HOUSE, COVENTRY AIRPORT WEST, COVENTRY**

A report from Community Protection was submitted which sought a decision on a premises licence application in respect of Air Atlantique, Dakota House, Coventry Airport West, Coventry.

The Chairman introduced the members of the Panel and the officers present and then asked all other parties to introduce themselves.

Ms Sue Hawkins and Mr Tony Caunce attended as representatives of Air Atlantique and Mr Roger Fawcett was present to represent Baginton Parish Council.

The Council's Solicitor read out the procedure that would be followed at the meeting.

The Licensing Enforcement Officer outlined the report, asked the Panel to consider all the information contained within it and determine if the application for a premises licence should be approved.

The report referred to those matters to which the Panel had to give consideration, the statutory guidance issued by the Secretary of State, the Council's Licensing Policy Statement and the Licensing objectives.

The report from Community Protection which was submitted to the Panel presented an application to permit the following:

The sale of alcohol (on and off the premises)  
12:00 midday to 21:00 Saturday and Sunday only

## **LICENSING PANEL HEARING MINUTES (Continued)**

Live music and the performance of dance  
14:00 to 21:00 Saturday and Sunday only

Recorded music (indoors only)  
11:00 to 00:30      Sunday to Thursday  
11:00 to 01:00      Friday to Saturday

The opening hours are shown as:  
08:00 to 00:30      Sunday to Thursday  
08:00 to 02:00      Friday to Saturday

All the above hours extended on New Year's Eve until the end of permitted hours on New Year's Day.

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

Mr Caunce addressed the panel and advised that the application needed to be amended to remove the reference to sale of alcohol off the premises. He informed members that Air Atlantique was an airline that operated from the airport. In addition, he highlighted that he had been liaising with the Parish Council prior to submitting the application and felt that all the issues raised by them had now been addressed. He also confirmed that the company were happy to restrict their events to four per year.

Mr Caunce described the type of event to be held on the premises as usually being music concerts with a maximum capacity of 5000 people and confirmed that parking provisions had already been agreed with the rugby club.

Mr Fawcett from Baginton Parish Council raised a number of concerns regarding traffic congestion in the village when similar events were held and suggested that the Parish Council be consulted on any transport plans in the future.

Mr Caunce assured members and Mr Fawcett that Air Atlantique had, and would continue to, work with the Parish Council and local residents to ensure these one off events ran smoothly.

The Chairman asked the applicant, the Licensing Officers and interested parties to leave the room to enable the Panel to deliberate and reach its decision.

In taking its decision, the Panel paid due consideration to the relevant legislation and guidance, application and the representations made about it.

Having considered the report from Licensing Services and the representations made by Air Atlantique and Baginton Parish Council the Committee were satisfied that the licence should be granted in accordance

## **LICENSING PANEL HEARING MINUTES (Continued)**

with paragraph 3.1 of the officer's report (with an amendment to the sale of alcohol being on the premises only).

### **RESOLVED** that

- (1) The following regulated acts be permitted:

The sale of alcohol (on 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

Recorded music (indoors only)  
11:00 to 00:30      Sunday to Thursday  
11:00 to 01:00      Friday to Saturday

The opening hours are shown as:  
08:00 to 00:30      Sunday to Thursday  
08:00 to 02:00      Friday to Saturday

All the above hours extended on New Year's Eve until the end of permitted hours on New Year's Day;

- (2) subject to the operating schedule as detailed in the application; and

- (3) subject to the following conditions as agreed with the responsible authorities:

§ 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;

## **LICENSING PANEL HEARING MINUTES (Continued)**

- § 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 service. 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

### **LICENSING PANEL HEARING MINUTES (Continued)**

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;
- § The number of events be limited to four per year.

All parties were invited back in to the room and informed of the Panel's decision.

(The meeting finished at 2.45pm)