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|    |  | <b>Licensing Panel</b><br><b>21 August 2013</b>  | <b>Agenda Item No.</b><br><b>4</b> |
| <b>Title</b>  |  | Application for the grant of a premises licence under the Licensing Act 2003 for Venice Pizza, 8 Spencer Street, Leamington Spa  |                                    |
| <b>For further information about this report please contact</b>   |  | Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113<br>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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?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   |                                    |

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| <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 |
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|--|-------------|---------------|
| <b>Officer/Councillor Approval</b>             |             |               |
| <b>Officer Approval</b>                        | <b>Date</b> | <b>Name</b>   |
| Chief Executive/Deputy Chief Executive         |             |               |
| Head of Service                                | 6.8.2013    | Richard Hall  |
| CMT  |             |               |
| Section 151 Officer                            |             |               |
| Monitoring Officer                             |             |               |
| Finance  |             |               |
| Portfolio Holder(s)                            | 5.8.2013    | Michael Coker |
| <b>Consultation &amp; Community Engagement</b> |             |               |
| N/A  |             |               |
| <b>Final Decision?</b>                         |             | Yes           |
| <b>Suggested next steps - None</b>             |             |               |

## 1. **SUMMARY**

- 1.1 Warwick District Council Licensing Authority has received a valid application for a new premises licence from Mr Shaeraz Makhmoor for Venice Pizza, 8 Spencer Street, Leamington Spa.
- 1.2 Representations have been received in relation to this application for the consideration of the panel in the determination of this 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 Venice Pizza, 8 Spencer Street, Leamington Spa, should be approved and if so, whether it should be subject to any conditions.

## 3. **REASONS FOR THE RECOMMENDATION**

- 3.1 Mr Shaeraz Makhmoor has applied for a premises licence for Venice Pizza, 8 Spencer Street, Leamington Spa, to authorise the following:

Late Night Refreshment (outdoors only)  
Everyday from 23:00 to 04:00  
The premises will be used as a fast food take away

Opening Hours  
Everyday from 11:00 to 04:00

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

*General*  
To serve the local community.

*The prevention of crime and disorder*  
On a Friday and Saturday night I will have door staff on duty from midnight to 4am.

*Public safety*  
CCTV  
Will have regular contact with the local safer neighbourhood team.

*The prevention of public nuisance*  
We will pick up any litter outside the shop dropped by our customers.

*The protection of children from harm*  
Ensure that they are where appropriate arrangement by an adult.

- 3.3 Relevant representations have been received from Warwickshire Police, attached as appendix 1, Environmental Health, attached as appendix 2 and Enforcement Agency for Health and Safety, appendix 3.
- 3.4 **These premises are contained within the council's Cumulative Impact Zone. This means that the applicant must prove that the application**

**will not impact on any of the Licensing Objectives – it is not for anyone making representations to prove that it will.**

- 3.5 A map of the area of the premises is attached as appendix 4.
- 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 (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.

- 3.7 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 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.

## 5. **BUDGETARY FRAMEWORK**

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

## 6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 No alternatives may be considered

## 7. **BACKGROUND**

- 7.1 None