



Agenda Item 3

Licensing and Regulatory Panel
3 June 2021

Title: Application for a Premises Licence under the Licensing Act 2003 for Revive Café Limited, 7 Smith Street, Warwick, CV34 4JA
Lead Officer: Emma Dudgeon
Portfolio Holder: Judy Falp
Public report

Wards of the District directly affected: Warwick Saltisford

Contrary to the policy framework: No
Contrary to the budgetary framework: No
Key Decision: No
Included within the Forward Plan: No
Equality Impact Assessment Undertaken: No
Consultation & Community Engagement: No
Final Decision: Yes
Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Head of Service	21.5.2021	Marianne Rolfe
Democratic Services manager & Deputy Monitoring Officer	20.5.2021	Graham Leach

1. Summary

- 1.1 Warwick District Council, as the Licensing Authority, has received a valid premises licence application for Revive Café, 7 Smith Street, Warwick, CV34 4JA. A representation has been received in relation to this application for the consideration of the panel in the determination of the application.

2. Options available to the Panel

- 2.1 Members are asked to consider the information contained in this report and decide whether the application for a premises licence at Revive Café, 7 Smith Street, Warwick, CV34 4JA, should be granted and, if so, whether the licence should be subject to any additional conditions.

The following options are available to members:

Option 1 – Grant the application as requested;

Option 2 – Grant the application with amended hours and/or added conditions, or;

Option 3 – Refuse the application.

3. Details for Consideration

- 3.1 When considering the application the panel must also 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 6)
 - 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 must only consider those licensing objectives which have been referred to in the representations received.

- 3.2 The Council's Statement of Licensing Policy 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 the promotion of the four licensing objectives. Each application will be judged on its own merits.

- 3.3 Details of the procedure adopted by the Licensing and Regulatory 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.
- 3.4 Revive Café Limited applied for a premises licence at Revive Café on 8 April 2021. The applicant describes the premises as a café/restaurant, serving hot and cold drinks and food with alcohol sales.
- 3.5 The licensable hours applied for by Revive Café are detailed below.

Opening Hours of the premises:
Monday to Sunday from 08:00 to 23:00

Supply of Alcohol for Consumption On and Off the Premises:
Monday to Sunday from 08:00 to 23:00

Recorded Music (Indoors only)
Monday to Sunday from 08:00 to 23:00

NOTE: Between the hours of 08:00 and 23:00, when recorded music is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises, all licensing conditions applicable to the control of recorded music on this licence are deemed not to be in operation.

An operating schedule, which has been submitted by the applicants and will form part of any licence issued, is attached as appendix 1 and additional documents submitted by the applicant for the Panel are attached as appendix 2.

- 3.6 The Licensing Department received an objection from a local resident attached as appendix 3.
- 3.7 The Licensing Department received representations from Warwickshire County Council Safeguarding and Trading Standards. Following the agreement of conditions, they subsequently withdrew their representations. These conditions are:

1. Must have a policy on clearing glasses to minimise opportunities for children to access leftover alcohol.
2. All children under 16 years of age must be accompanied by an adult after 9pm. After 9pm any unaccompanied children appearing to be under the age of 16 years old will not be served food or drinks. Refusal of service must be recorded in the refusals log.
3. A prompt or reminder to staff, at the point of sale, to consider whether a sale or challenge ought to be made (for example an EPOS - Electronic Point of Sale - system till prompt or if not then written notices/stickers at the till point showing age limits).
4. A 'Challenge 25' age verification policy requiring proof of age by passport, photo driving licence or PASS accredited card (as opposed to a Challenge 21 policy).

3.8 No representations have been received from:

- Fire Authority
- The Licensing Authority
- Enforcement Agency for Health and Safety
- Authority Responsible for Planning
- National Health Service/Public Health
- Environmental Health
- Warwickshire Police

3.9 A plan of the premises and the area are attached as appendix 4 and photographs of the premises are attached as appendix 5.

4. Policy Framework

4.1. Fit for the Future (FFF)

4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

4.2. FFF Strands

4.2.1 External impacts of proposal(s)

People - Health, Homes, Communities - The licensing policy recognises 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.

Services - Green, Clean, Safe – None.

Money- Infrastructure, Enterprise, Employment - The licensing policy relates 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.

4.2.2. Internal impacts of the proposal(s)

People - Effective Staff – None.

Services - Maintain or Improve Services - None.

Money - Firm Financial Footing over the Longer Term - None.