

A meeting of the above Committee will be held at at Shire Hall, Market Place, Warwick on Monday 16 October 2023, at **4.30pm**.

Councillor K Gorman (Chair)
Councillor J Sinnott (Vice-Chairman)

Councillor D Armstrong
Councillor A Barton
Councillor C Gifford
Councillor D Harrison
Councillor C King
Councillor P Kohler
Councillor M Luckhurst

Councillor J Matecki
Councillor P Redford
Councillor W Roberts
Councillor G Rosu
Councillor S Syson

Agenda

1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. Minutes of the Licensing & Regulatory Committee

To confirm the minutes of the meetings held on:

- a) 20 March 2023.
- b) 17 May 2023.

(Pages 1 to 2)

(Pages 1 to 2)

4. **Minutes of Licencing & Regulatory Panels**

To confirm the minutes of the Licensing & Regulatory Panels as set out below:

- a) 30 May 2023 **(Pages 1 to 6)**
- b) 27 July 2023 **(Pages 1 to 7)**

5. **Appointment to Licensing & Regulatory Panels**

- (a) To appoint the Councillor Rosu to Panel C of the Licensing & Regulatory Panels.
- (b) To appoint Councillor Rosu as a substitute for all Panels.
- (c) To note that by virtue of the Licensing Act 2003 the Panels do not have to be politically proportionate to the Council and confirm the departure from political proportionality for the Panels not considering matters made under the Licensing Act 2003.

6. **Public and Press**

To consider resolving that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Item Numbers	Paragraph Numbers	Reason
7	1	Information relating to an Individual
7	2	Information which is likely to reveal the identity of an individual

7. **Confidential Minutes of the Licensing & Regulatory Panels**

To confirm the confidential minutes of the Licensing & Regulatory Panel meetings held on:

- a) 5 April 2023 **(Pages 1 to 5)
(Not for publication)**
- b) 29 June 2023 **(Pages 1 to 5)
(Not for publication)**
- c) 11 July 2023 **(Pages 1 to 7)
(Not for publication)**
- d) 25 July 2023 **(Pages 1 to 5)
(Not for publication)**
- e) 17 August 2023 **(To follow)
(Not for publication)**

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Telephone: 01926 456114
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For enquiries about specific reports, please contact the officers named in the reports.
You can e-mail the members of the Committee at LandRCommittee@warwickdc.gov.uk

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The agenda is available in large print on request,
prior to the meeting, by telephoning (01926)
456114

Licensing and Regulatory Committee

Minutes of the meeting held at the Town Hall, Royal Leamington Spa on Monday 20 March 2023 at 4.30pm.

Present: Councillors Jacques (Chairman), Barton, Cullinan, C Gifford, Illingworth, King, Luckhurst, Roberts, and Syson.

22. **Apologies and Substitutes**

- (a) apologies for absence were received from Councillors Boad, Redford and Wright; and
- (b) there were no substitutes.

23. **Declarations of Interest**

There were no declarations of interest.

24. **Minutes**

The minutes of the meeting held on 20 February 2023 were taken as read and signed by the Chairman as a correct record.

25. **Minutes of the Licensing & Regulatory Panels**

The minutes of the Licensing and Regulatory Panels held on 20 December 2022, and 2 March 2023 were taken as read and signed by the Chairman as a correct record.

26. **Urgent Item – Changes to the Membership of Licensing & Regulatory Panels**

It was proposed by Councillor Roberts, seconded by Councillor Cullinan and

Resolved that Councillors King and Redford be appointed as substitutes to all panels.

(Councillor Barton arrived during this item and therefore did not vote on this item.)

27. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the Public and Press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within paragraphs 1 & 2 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

LICENSING & REGULATORY COMMITTEE MINUTES (Continued)

28. Minutes of Licensing & Regulatory Panels

The minutes of the Licensing and Regulatory Panels held on 2 February 2023 were taken as read and signed by the Chairman as a correct record.

(The meeting ended at 4.35pm)

CHAIRMAN
16 October 2023

Licensing & Regulatory Committee

Minutes of the meeting held on Tuesday 17 May 2023 at the Town Hall, Royal Leamington Spa at 7.40pm.

Present: Councillors, Armstrong, Barton, C Gifford, Dray, Gorman, D Harrison, King, Kohler, Luckhurst, Matecki, Redford, Roberts, Sinnott, Sullivan and Syson.

1. Appointment of Chairman

It was proposed, duly seconded and

Resolved that Councillor Gorman be appointed Chairman of the Committee for the 2023/2024 municipal year.

2. Apologies

No apologies for absence were received.

3. Declarations of Interest

There were no declarations of interest made.

4. Appointment of Vice-Chairman

It was proposed, duly seconded and

Resolved that Councillor Sinnott be appointed Vice-Chairman of the Committee for the 2023/2024 municipal year.

5. Appointment to Licensing & Regulatory Panels

The Committee considered the proposals for membership of the Panels and

Resolved that

- (1) the membership of the Licensing & Regulatory Panels for the municipal year 2023/24, be

Panel	Councillor	Councillor	Councillor
A	Gorman	Barton	C Gifford
B	Roberts	Sinnott	Matecki
C	Luckhurst	Sullivan	Redford
D	D Harrison	King	Syson
E	Armstrong	Dray	Kohler

- (2) all members of the Committee be appointed as substitutes for the above Panels; and

- (3) by virtue of the Licensing Act 2003, the Panels are not politically proportionate to the Council and the departure from political proportionality for the Panels not considering matters made under the Licensing Act 2003, be approved.

(The meeting ended at 7.45pm)

CHAIRMAN
16 October 2023

Licensing & Regulatory Panel

Minutes of the Licensing & Regulatory Panel held at the Town Hall, Royal Leamington Spa, on Tuesday 30 May 2023, at 10.15am.

Present: Councillors C Gifford, Kohler and Luckhurst.

Also Present: Alaa Cronin (Council's Solicitor), Jack Henson (Licensing Enforcement Officer), Emma Morgan (Licensing Enforcement Officer – observing) and Rob Edwards (Principal Committee Services Officer).

1. Apologies and Substitutes

There were no apologies for absence received.

2. Appointment of Chairman

Resolved that Councillor Gifford be appointed as Chairman for the hearing.

3. Declarations of Interest

There were no declarations of interest made.

4. Application for a new Premises Licence under the Licensing Act 2003 for St Nicholas Park, Banbury Road, Warwick

The Panel considered a report from Safer Communities, Leisure and Environment which had received a valid application for a new premises licence for at St Nicholas Park, Banbury Road, Warwick. Representations had been received in relation to this application for the consideration of the panel in the determination of the application.

Live Tour Promotions Ltd applied for a new premises licence for St Nicholas Park, Banbury Road, Warwick on 30 March 2023. The organiser was seeking to use this licence for licensable activities for one weekend per calendar year.

The application was for the sale of alcohol on the premises, live music, recorded music and the provision of facilities for dance. A copy of the relevant part of the application form was attached as Appendix 1 to the report.

The Licensing Department had received an objection from Environmental Health which was attached as Appendix 2 to the report.

The applicant had agreed the following condition with Trading Standards which would need to form part of any licence issued:

- 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).

The Licensing Department had also received an objection from one resident. This was attached as Appendix 3 to the report.

No representations had been received from:

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

A plan showing the location of the premises was attached as Appendix 4 to the report. A plan supplied by the applicant was attached as Appendix 5.

An addendum circulated prior to the meeting advised that Environmental Health and the applicant had agreed to the following condition changes to Environmental Health's objection:

"5. In order to prevent public nuisance, the Licensee shall ensure that: that a Noise Management Plan is submitted to the Local authority no less than 3 months before the events so that noise control measures can be agreed, and an appropriate music noise level can be determined.

6. Make the documented results available to the Local Authority representatives on demand and present the same to the Authority in writing no later than 28 days after the end of the Event as part of a Noise Compliance Report".

The meeting began at 10:15pm to allow the objector, Sarah Giles, the opportunity to arrive in the meeting, however she did not attend. The Chairman asked Members of the Panel to introduce themselves.

- Mr Barker, the applicant; and
- Stacey Walsham - Environmental Protection Technical Officer.

The Council's Solicitor announced the procedure for the meeting. At the Chairman's request, the Licensing Enforcement Officer introduced the report.

An addendum circulated prior to the meeting advised that the following amendments to conditions 5 and 6 had been agreed with the applicant.

5. In order to prevent public nuisance, the Licensee shall ensure that: that a Noise Management Plan is submitted to the Local authority no less than 3 months before the events so that noise control measures can be agreed, and an appropriate music noise level can be determined.

6. Make the documented results available to the Local Authority representatives on demand and present the same to the Authority in writing no later than 28 days after the end of the Event as part of a Noise Compliance Report.

In his opening statement, Mr Barker advised that:

- The application was for a Premises Licence for 15 and 16 September 2023 and one weekend per calendar year on an ongoing basis.

- Live Tour Promotions Ltd began its current form in 2018, and since then had operated over 200 events nationally, including music, food and drink and theatre events.
- He was the proposed Designated Premises Supervisor (DPS), had been a Personal Licence Holder since 2006 and had worked in hospitality since 2004.
- Since 2016, he had acted as DPS for many large events and acts as the Event Director, managing all live situations on event day and overseeing planning and delivery of operations.
- He was experienced in licence matters and had worked with authorities and regulatory bodies.
- Ibiza Orchestra Experience and Sausage and Cider Festival had been operating successfully nationally since 2021 at 23 various locations nationally. The management team headed by him had run all these events and the same team would be heading the events planned for this year.
- The weekend was for two events, with no camping or overnight customers.
- The Ibiza Orchestra Experience, a 26-piece orchestra, would be playing with some supporting artists, and there would also be food units, bars and ancillary traders. The average customer age was 33, and it was an over-18 event and the proposal was to run the event between 6pm and 11pm.
- There was also a Sausage and Cider Festival – several cider houses would be attending, with live music from tribute bands, bars, and food traders. Average age in the past was 36 with 55% male attendance. However, this year it would be run as a family-friendly event for all ages, allowing under-18s to attend when accompanied by over-18s. They had introduced a specific “welfare area” staffed by enhanced DBS checked members of staff and members of the Management team had undertaken Child Safeguarding training. Entertainment would also be provided for younger customers.
- As it was a national event they would be working with the same suppliers and contractors across the tour.
- During the consultation period he had agreed conditions with Trading Standards.
- Prior to the Panel, he had agreed conditions with Environmental Health with regard to noise and noise management.
- He would be employing a Noise Management Consultant company, F1 Acoustics, who had previous experience working in the proposed location. They would work on the Noise Management Plan with the Applicant and provide noise monitoring during the event.
- Other mitigations and procedures would be put in place to prevent noise nuisance, including working with the same mixing engineer and production company throughout the event, allowing them to control music output at source and ensure it complied.
- There would be a pre-event letter drop to residents with information about the event with an email address for pre-event concerns and a direct telephone number for someone on site during the event, and signs around the site.
- A Traffic Management Company would be employed and a Traffic Management Plan would be circulated prior to the event indicating proposed drop-off and pick-up points for attendees, as well as a pre-event-communication plan, which currently stated that there would be no parking on site. They would be undertaking further investigations to see whether off-site parking arrangements could be made.
- Other measures in respect of public safety included a CQC qualified medical service including first-responder, trained nurses, and paramedics. There would also be fire wardens on site.
- Ingress and Egress Plans would include surrounding areas as well as the proposed location and would include the deployment of staff to pick-up and

drop-off points and prevent noise and anti-social behaviour as attendees were vacating or attending the area.

- The business success depended on safe, well-run events with low impact on the community and being good neighbours, they would take all reasonable steps to ensure the event was run in such a manner.

In response to questions from panel the applicant explained that:

- In terms of mechanisms to keep noise down, there were a number of things that could be done. Before the event, a Noise Management Plan would be created which would be discussed with Environmental Health, and they would agree expected upper limits as per the agreed conditions. They would be able to create a model in advance to set the limit at noise-sensitive locations, then before the event starts, they would undertake physical testing at the sensitive locations. They would also be able to monitor noise levels at certain locations during the event and either make adjustments to hold noise levels or use filters if there was a problem. This Plan would also be agreed with Environmental Health.
- They had run 24 events in the last two years and 85%-95% were Town Centre parks. This was the second licensing hearing they had had to attend for one of those events; the previous one related to a commercial property that had horses and there were worries about noise, and that licence was granted. Usually through proactive communication they were able to set good conditions that they were able to meet. Some would be 65 decibels because the residences were slightly further away, some would be 75 decibels because the residences were closer, and it was not achievable to reach 65 decibels. It would be false to say that they did not get complaints, but they had never breached a licensing condition following any complaints. All the information was available from noise readings, and they had never breached a noise limit. They had had some pretty strict ones in more sensitive locations and did not go over the limit. There were a number of mitigations they could implement depending on the location.
- They were expecting 3,000 people on the Friday and 4,000 people on the Saturday. The Friday was a shorter concert – everyone would be there at the same time. On the Saturday, with it being a family event, it would last longer and there would be more coming and going.

The Environmental Health Officer confirmed that her team had spoken with the applicant and because the conditions had all been agreed, they were just waiting to go through the Noise Management Plan when that came through.

In further responses to questions from Members, the applicant, Mr Barker advised that:

- They usually did not offer parking at these events. Given this location it would not be feasible to offer parking at St Nicholas Park. They usually sent out communication to attendees asking that they walk or use public transport. However, given the concerns raised by the residents on this occasion they would take some steps to see what could be done with regard to specific off-site parking. The geography was slightly challenging immediately but they would take some steps to see what could be done.
- For the provision of taxis, he intended to contact local companies to inform them of the event and pick-up and drop-off points, and this would then be stewarded by their security company and traffic management company to make sure it was safe.

- The general location had been chosen in consultation with the Council's Events team, and it was the rough location of previous events and seemed to cause the least impact on the local community.
- The vast majority of people attending would be from the local area because their marketing was usually done online and within the radius of the Town.

The Chairman asked Environmental Health to make their submission to the Panel. The Environmental Health Officer confirmed that Environmental Health had recently agreed conditions with the applicant and as such, formally withdrew its objection.

In his closing statement, Mr Barker stated that:

- There was only one standing representation from one interested party.
- There would be extensive operating conditions to satisfy all four licensing objectives.
- With noise mitigation and working time limits as agreed with the Environmental Protection Team, there would be little to no public nuisance.
- They had a long history of operating events nationwide and had historical data to show there had been no increase in anti-social behaviour and/or crime as a result of the event.
- The event would be safe for the public and people working nearby.

At 10:45am the Chairman asked all parties other than the Panel, the Council's Legal Advisor, and the Committee Services Officer to leave the meeting, in order to enable the Panel to deliberate in private and reach its decision. The decision would be communicated in writing via email to the applicant and interested parties later on the same day, followed by a written notice with a full decision within seven days.

Resolved that the application be granted.

The Licensing Panel has taken note of all of the written representations made in respect of the application for a Premises Licence and has listened to all those who have spoken at the Hearing.

In reaching its decision, the Panel took into account Warwick District Council's Statement of Licensing Policy and the statutory guidance issued under section 182 of the Licensing Act 2003.

The Panel noted that no representations have been received in respect of this application from the following Responsible Authorities:

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

The Panel also noted that relevant representations made by Environmental Health have been withdrawn following agreement of conditions with the Applicant.

The Panel noted that the representation made by a local resident raised concerns about noise nuisance, increased traffic and need for additional parking, as well as anti-social behaviour and crime. However, they consider that the conditions in the operating schedule as well as those agreed between the Applicant and Environmental Health, and assurances from the Applicant that they will carry out further investigations into the availability of off-site parking for attendees, will adequately address the concerns.

The Panel therefore determined to grant the premises licence subject to such conditions as are consistent with the operating schedule accompanying the application (as amended by the conditions agreed between the Applicant and Trading Standards and Environmental Health) which are considered appropriate for the promotion of the licensing objectives.

The Applicant or any person who has made representations may appeal against the decision of the Panel to the Magistrate's Court within 21 days of issue of formal notification of the decision.

(The meeting ended at 11.15am)

CHAIRMAN
16 October 2023

Licensing & Regulatory Panel

Minutes of the Licensing & Regulatory Panel held at the Town Hall, Royal Leamington Spa, on Thursday 27 July 2023, at 10.00am.

Present: Councillors C Gifford, Luckhurst, and Syson.

Also Present: Sue Mullins (Council's Solicitor), Emma Morgan (Licensing Enforcement Officer), Jack Henson (Licensing Enforcement Officer – observing only) and Sophie Vale (Committee Services Officer).

1. Appointment of Chairman

Resolved that Councillor Gifford be appointed as Chairman for the hearing.

2. Substitutes

There were no substitutions.

3. Declarations of Interest

Cllr Syson announced that 10 years ago she had been involved in an organisation which was linked to extra care housing such as Queensway Court, but this was not a conflict of interest.

4. Application for a new Premises Licence under the Licensing Act 2003 for Grande Venezia Ltd, Queensway Court, Queensway, Royal Leamington Spa, CV31 3JZ

The Panel considered a report from Safer Communities, Leisure and Environment which had received a valid application for a new premises licence at Grande Venezia Ltd, Queensway Court, Queensway, Royal Leamington Spa, CV31 3JZ. Representations had been received in relation to this application for the consideration of the Panel in the determination of the application.

Grande Venezia Ltd applied for a new premises licence for Queensway Court, Queensway, Royal Leamington Spa, CV31 3JZ on 1 June 2023. The premises had been described by the applicant as a coffee shop and restaurant with a terrace.

The application was for the sale of alcohol on the premises. A copy of the relevant part of the application form was attached as Appendix 1 to the report.

The Licensing Department initially received comments to the application from Warwickshire County Council Trading Standards, Warwick District Council Environmental Health and Warwickshire Police. Following the agreement of conditions with these Responsible Authorities they withdrew their comments/objections. The conditions agreed, which would form part of any licence if granted were attached as Appendix 2 to the report.

The Licensing Department received eight objections from local residents. These were attached as Appendices 3 to 10 to the report.

No representations had been received from:

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

A plan showing the location of the premises was attached as Appendix 11 to the report along with the current plan of the internal layout. Photographs of the premises were attached as Appendix 12 to the report.

An addendum circulated prior to the meeting advised that:

On 14 July 2023 the Licensing Department received further comments from two of the objectors, Mr and Mrs Mindham, in relation to conditions they would like the Panel to consider at the Hearing due to take place on 27 July 2023. A further two objectors submitted similar conditions for the consideration of the Panel.

Following receipt, the Licensing Officer sent these conditions to the applicant. The Applicant subsequently agreed to all conditions put forward. A copy of the email confirming the conditions agreed were attached as Appendix A to the report. An email detailing all these conditions was also sent to all the objectors attached as Appendix B to this report.

Following the Applicant's agreement to the proposed conditions, Mr and Mrs Mindham withdrew their objection, shown as Appendix 7 in the original report. Objections from Mr and Mrs Plummer and Mrs German and Mrs Roberts were also withdrawn, shown as Appendices 9 and 10 and in the original report.

The comments for the Panel's consideration received from an objector whose details could not be shared and Mr Jones were attached to the report as Appendices C and D. These objectors had not withdrawn their representations.

The Applicant had also submitted some further photos and an amended plan showing the relocation of the bar into the restaurant following the agreement to conditions. The area outlined in red would also be the revised licensable area. These were attached as Appendix E to the report.

The Chairman asked Members of the Panel and Officers to introduce themselves. The applicant then introduced himself as Mr Liviu Vladulescu.

(The meeting was adjourned at 10.09am due to technical difficulties but resumed at 10.13am.)

The Council's Solicitor announced the procedure for the meeting. At the Chairman's request, the Licensing Enforcement Officer introduced the report.

In response to questions from Members, the Licensing Enforcement Officer explained that:

- there were conditions in the report and also additional ones contained within the addendum; and
- the photos contained within the addendum were the most recent photos of the premises.

In his opening statement, Mr Vladulescu advised that:

- he was applying for the licence to sell alcohol, mostly to people who were not resident at Queensway Court. He was expecting customers to walk to the premises;
- customers could make bookings online via email or social media, and then they would be able to access the premises by pressing a button on the outside of the area and the people at the bar would then open the gate for customers to enter;
- stickers would be placed on the walls reminding customers to respect privacy and that the premises were in a residential area;
- he would not permit customers to go outside the restaurant with glasses of beer/ wine etc. The licence was for use only in the restaurant and customers would not be allowed to sit in the coffee shop area with alcohol;
- alcohol would only be served in the restaurant and only in connection with a meal. There was no intention for the premises to become a bar;
- regarding public safety, he would be at the premises all the time to make sure nothing happened. Customers would not have access to the terrace and no customers would be outside the building; and
- any customer wanting to smoke would be required to walk out onto the street as there was no designated smoking area on the premises.

In response to questions from the Panel the applicant explained that:

- at the moment he was serving breakfast, lunch, and coffee to residents. It was usually 10 to 20 people per day. He did not currently serve dinner to residents as they retired to their rooms early;
- he had introduced an alternative menu for residents to keep it varied for them. He had been cooking some English dishes such as Shepherd's pie for them;
- he had some customers from outside who had come for the Italian food and drink. They had not asked for alcohol because they knew the premises were not licensed;
- he knew the residents who came into the restaurant and if he had concerns about residents asking for alcohol, he would speak to the manager at Queensway Court before he sold it to them;
- there had not been any problems and he did not expect to have any problems with residents or customers coming from outside;
- the hours now proposed for the sale of alcohol were between 12.00pm and 2.30pm and then 6.00pm to 8.30pm, with the premises closing at 9.00pm; and
- nobody would be in the restaurant beyond 9.00pm.

In further responses to questions from Members, the applicant, Mr Vladulescu advised that he had been a licensee since 2018.

In his closing statement, Mr Vladulescu stated that he would endeavour to mitigate any problems that might arise and would adhere to the Licensing Objectives as set out in the report. He knew the residents of Queensway Court well and knew that many of them would enjoy seeing new faces around the place.

At 10.30am the Chairman asked all parties other than the Panel, the Council's Legal Advisor, and the Committee Services Officer to leave the meeting, in order to enable the Panel to deliberate in private and reach its decision. The decision would be communicated in writing via email to the applicant and interested parties later on the same day, followed by a written notice with a full decision within seven days.

Resolved that the application be granted.

In making their decision the Panel considered all the information provided in advance of, and at, the Hearing, the statutory guidance and the Council's Statement of Licensing Policy.

The Panel considered the potential impact on the licensing objectives and the conditions proposed to address the concerns raised, which had been agreed between the Applicant and the Responsible Authorities and which had resulted in a number of the objections being withdrawn.

The Panel noted the potential vulnerabilities of the residents of Queensway Court and were reassured that the Applicant was also mindful of these.

The Panel therefore determined that it is appropriate for the promotion of the licensing objectives to grant the application for a premises licence at Queensway Court, Queensway, Royal Leamington Spa, CV31 3JZ as set out below:

Sale of Alcohol for Consumption On the Premises
Monday to Sunday from 12:00 to 14:30 and from 18:00 to 20:30.

As part of the decision to grant the application, the Panel determined that the following conditions should be applied to the premises licence to promote the licensing objectives:

1. A 'Challenge 25' age verification policy requiring proof of age by passport, photo driving licence or PASS accredited card shall be adopted and implemented.
2. Photographic identification shall be requested before any alcohol is sold to any person who appears to be under 25 years of age. Acceptable proof of age shall include identification bearing the customer's photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
3. A 'challenge log' (refusals book) shall be maintained and made available for inspection by a responsible authority on reasonable request, recording all challenges - where both sales and refusals result (example downloadable refusals book <https://www.businesscompanion.info/sites/default/files/Underage-sales-refusals-log-Nov-2021.docx>).
4. There shall be 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) (examples of posters that could be used can be found here: <https://noidnosale.com/>).
5. Regular staff training shall be carried out to ensure that both the law and company policies / procedures are understood, up-to-date and applied consistently.
 6. Prominent, clear, and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
 7. Clear and legible notices shall be prominently displayed in any external seating areas requesting patrons to respect the needs of local residents and to use the area quietly.
 8. Clear and legible notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
 9. All staff to be trained in the prevention of underage sales to a level commensurate with their duties.
 10. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers.
 11. The training should be clearly documented and shall be available for inspection on request by an authorised officer of the Licensing Authority or an officer of the Police.
 12. All staff training records to be maintained on site and made available for inspection by a responsible authority on reasonable request.
 13. The Premises DPS or management must attend any invited training sessions held by responsible authorities on reasonable request.
 14. The Premises Licence holder shall implement and maintain an up-to-date register of incidents occurring on the premises. This register shall be made available to the Police or Authorised Officers on request.
 15. An incident log must be kept at the premises, and made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police, which must record the following:
 - a) all crimes reported to the venue;
 - b) all ejections of patrons;
 - c) any complaints received;
 - d) any incidents of disorder;
 - e) seizures of drugs or offensive weapons;
 - f) any faults in the CCTV system or searching equipment or scanning equipment;
 - g) any refusal of the sale of alcohol; and
 - h) any visit by a relevant authority or emergency service.
 16. No open vessels of alcohol to leave the venue at any time.

17. The Applicant shall ensure that CCTV is installed and maintained to the satisfaction of the Police and Licensing Officers and shall ensure:-
- a) All equipment shall have constant time/date generation.
 - b) This shall include a system to ensure automatic update in relation to the beginning and end of British Summer Time etc.
 - c) If the system is not capable of achieving this requirement the Licence holder or a nominated person must ensure that a manual facility is available to carry out this update as an alternative.
 - d) Recordings must be kept for a minimum of 31 days.
 - e) Recordings of incidents at the premises must be made secure for inspection by the Police and or Licensing Officers.
 - f) Copies of recordings will be made available to officers of the responsible authorities on reasonable request.
 - g) Unauthorised persons should not be allowed access to the system or view personal data as it could contravene the Data Protection Act or jeopardise any criminal investigation.
 - h) Arrangements for its repair must be made without delay.
18. Alcohol to be served only with a main table meal. No alcohol to be served with breakfast.
19. Alcohol only to be sold between the hours of midday and 14:30 hours and 18:00 hours and 20:30 hours. All customers to leave the premises by 21:00 hours and any staff to leave the premises by 21:30 hours.
20. The licensee must ensure that no restaurant customers (other than residents and guests) are admitted to the building after 20:00 hours.
21. The licensed area to be amended so that the sale of alcohol may only take place within the restaurant. No open vessels shall leave the licensed area at any time, including the café/ reception area or on either of the two outside terraces.
22. The licensee must only allow access to the restaurant from the front doors to the reception/ café areas (doors facing Queensway) and must not open the rear doors for any reason other than in an emergency. The licensee must ensure that the front doors are kept secured after they are locked by the building management and only allow entry for patrons of the restaurant.

The Applicant or any person who has made representations may appeal against the decision of the Panel to the Magistrate's Court within 21 days of issue of formal notification of the decision.

Cllr C Gifford (Chair)
Cllr Luckhurst
Cllr Syson

27 July 2023

(The meeting ended at 10.41am)

CHAIRMAN
16 October 2023