

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.30 am on Tuesday, 10 March 2015

Present:

Members: Councillor D Galliers (Chair)
 Councillor L Bigham
 Councillor J Birdi

Employees (by Directorate):

R Masih, Place Directorate
M Rossi, Resources Directorate
M Smith, Resources Directorate

In Attendance: H Sandhu (Applicant)
 S Sandhu (Applicant's Representative)

Public Business

1. **Appointment of Chair**

RESOLVED that Councillor Galliers be elected as Chair for this meeting.

2. **Apologies**

There were no apologies for absence.

3. **Declarations of Interest**

There were no declarations of interest.

4. **Licensing Act 2003 - Application for a Premises Licence**

The Sub-Committee considered an application for a new premises licence in respect of 106/108 Cannon Hill Road. The application sought to supply alcohol (off-sales) from 0730 hrs to 2200 hrs on Monday to Sunday. The application had been amended prior to the hearing following consultation with West Midlands Police and the amendments were detailed at Page 27 of the hearing pack.

The Sub-Committee considered the written application, the written representations received against the application and the oral presentation made by the applicant during the hearing. It also had regard to the Secretary of State's Guidance, the Council's Statement of Licensing Policy and the High Court's decision in Daniel Thwaites Plc v Wirral Magistrates Court (relating to the standard of evidence at licensing hearings).

In view of the Thwaites case, the Sub-Committee attached significant weight in favour of this application because none of the Responsible Authorities had objected. In particular, the Police (who are the main source of advice on crime and disorder) did not object. The premises are not currently operating as an off-licence

and any previous or prevailing issues in the locality are not attributable to the applicant. The Sub-Committee felt that the modified Operating Schedule was comprehensive and if implemented properly, would address the type of concerns raised in the representations. It heard that Miss Sandhu and her family were experienced retailers and were successfully operating another off-licence in the City. It also heard that Miss Sandhu had lived in the local area for a number of years, understood its character and was keen to provide a facility for the local community and did not want to upset anyone. It heard that Miss Sandhu intended to open initially from 0800 to 2000 Monday to Saturday and 0800 to 1500 Sunday but wanted to retain the flexibility to open longer. It was satisfied that the Operating Schedule addressed the licensing objectives at this stage and saw no relevant reasons to refuse or alter the application. However, if the premises do prove to operate in any way that does not promote the licensing objectives then the appropriate way for this to be addressed would be via a review of the licence.

RESOLVED that the application is granted subject to:

- (a) The Mandatory Conditions prescribed by the Act;**
- (b) Conditions consistent with the amended Operating Schedule.**

5. Any Other Business

There were no additional items of public business.

(Meeting closed at 11.00 am)