

Coventry City Council
Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)
held at 10.00 am on Tuesday, 14 April 2015

Present:

Members: Councillor D Galliers (Chair)
 Councillor D Chater
 Councillor G Crookes

Employees (by Directorate):

Place: M Ledbrook

Resources: L. Knight, M. Smith

Public Business

1. **Appointment of Chair**

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

2. **Declarations of Interest**

There were no declarations of interest.

3. **Licensing Act 2003 - Application to vary a Premises Licence**

The Sub-Committee considered an application to vary the premises licence in respect of Costcutter Express, Black Prince Avenue, Coventry:

1. To extend the hours for the sale of alcohol at the premises to:

Monday to Saturday: 06:00 – 23:00
Sunday 07:00 – 23:00

2. To remove restrictions on Christmas Day and Good Friday

3. To vary opening hours to:

00:00 – 23:59 Monday to Sunday

The Sub-Committee considered the written application and oral submissions made by the applicant's representative during the hearing. It also considered the two written representations received against the application. It also had regard to the Home Office Guidance and the Council's Statement of Licensing Policy. In accordance with the High Court's decision in Daniel Thwaites PLC v Wirral Magistrates Court, it attached the appropriate weight to the fact that none of the Responsible Authorities had objected to the application.

It noted that the applicant would be providing useable waste bins on site as part of its operating schedule and welcomed the verbal assurance that there would be a minimum of 4 such bins provided coupled with an undertaking to carry out weekly voluntary litter-picking on the premises to address any litter issues. The Home Office Guidance makes the point (Para 1.16) that licence holders cannot be held responsible for the behaviour of their customers once beyond their direct control and the Sub-Committee felt that the applicant had proposed all that it reasonably could to address the objector's concerns on this issue.

The other objection expressed a concern about a potential increase in crime and disorder and/or public nuisance if the application was granted. However, no details of any such incidents were given and the Police (who are the main source of advice on crime and disorder) had not objected. The Sub-Committee felt that the extension of licensable hours being sought was relatively modest and that the measures it would expect to address crime and disorder and nuisance drinkers were contained within the amended operating schedule e.g. CCTV, staff training and Challenge 25.

In the light of the above, the Sub-Committee saw no reason to refuse or otherwise modify this application. However, should the premises now prove to operate in a way that does not promote the licensing objectives then the appropriate way to address this would be by bringing a licence review.

RESOLVED that the application be granted.

4. Any Other Business

There were no other items of business.

(Meeting closed at 10.20 am)