



Licensing and Regulatory Sub-Committee (Hearing)

Time and Date

10.00 am on Tuesday, 21st May, 2019

Place

Dame Ellen Terry Suite - Council House

Public Business

1. **Appointment of Chair**
2. **Apologies**
3. **Declarations of Interest**
4. **Licensing Act 2003 - Application to Vary a Premises Licence** (Pages 3 - 86)

To consider an application to vary the Premises Licence in respect of The New Spires, Grayswood Avenue, Coventry.

Note: The applicant and their representative have been invited to attend the hearing.

Persons who have made representations have been invited to attend.

The City Council's Statement of Licensing Policy is available on the Council's website. Alternatively, please contact us if you require a hard copy.

5. **Any Other Business**

To consider any other items of business which the Chair decides to take as a matter of urgency because of the special circumstances involved.

Private Business

Nil

Martin Yardley, Executive Director, Place, Council House Coventry

Monday, 13 May 2019

Note: The person to contact about the agenda and documents for this meeting is Usha Patel Tel: 024 7697 2301

Membership: To be confirmed

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us.

Usha Patel/Carolyn Sinclair

Tel: 024 7697 2301/2302

**Email: usha.patel@coventry.gov.uk or
Carolyn.Sinclair@coventry.gov.uk**



Public report Licensing & Regulatory Committee

Licensing & Regulatory Sub-Committee

21 May 2019

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Deputy Chief Executive Place

Ward(s) affected:

Sherbourne

Title: Application to vary a Premises Licence under the Licensing Act 2003

Is this a key decision?

No

Executive Summary:

The purpose of this report is to consider an application to vary a Premises Licence under the Licensing Act 2003 for the New Spires, Grayswood Avenue, Coventry, CV5 8HJ.

Recommendations:

The Sub-Committee is recommended to consider whether to:

1. Grant the application as requested
2. Grant the application subject to such conditions that are necessary to promote the Licensing Objectives
3. Refuse the application wholly or in part where it is necessary in order to promote the Licensing Objectives

List of Appendices included:

1. Premises Licence Variation application
2. Plan of Premises
3. Representations
4. Conditions agreed with RA's
5. Current Premises Licence
6. Location Plan
7. Hearing Procedure Note
8. Relevant Hearing Briefing note

Background papers:

Section 182 Licensing Act 2003 Guidance

It is a statutory obligation of the Sub-Committee to take into account the Government's Guidance to the Licensing Act 2003 before reaching a decision.

Statement of Licensing Policy

The Council will have regard to the Policy, when making a decision on applications made under the Act

Other useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

1. Context (or background)

- 1.1 The Licensing Act 2003 requires Coventry City Council, as the Licensing Authority, to carry out its various licensing functions so as to promote the following four Licensing Objectives:
- The Prevention of crime and disorder
 - The Protection of public safety
 - The Prevention of public nuisance
 - The Protection of children from harm
- 1.2 A Premises Licence Variation Application for The New Spires was received on 22 March 2019.
- 1.3 The application seeks to extend the terminal hour for all licensable activities (sale/supply of alcohol, regulated entertainment and late night refreshment) by one hour from 23:00hrs to 00:00hrs Monday to Thursday, and the initial hour on a Saturday morning from 11:00hrs to 10:00hrs. The Variation Application also seeks to make changes to the internal layout of the premises as detailed in the amended plan (see Appendix 2).
- 1.4 Two representations from residents (other persons), have been received to the application (outlined in paragraph 3.3).
- 1.5 In addition to the mandatory conditions, the Sub-Committee should refer to the operating schedule detailed in the application (Appendix 1). No further conditions have been proposed with the application.
- 1.6 The Sub-Committee should note that conditions have been agreed with West Midlands Police during the consultation period (see Appendix 4), which will be attached to the licence should it be granted.
- 1.7 The Licensing Act 2003 requires the Council to publish a 'Statement of Licensing Policy' which sets out the policies the Council will have regard to and apply to promote the licensing objectives when making a decision on applications made under the Act. The Policy will be available at the hearing for reference purposes.
- 1.8 It is essential that the Sub-Committee takes into account the government's guidance to the Licensing Act before reaching a decision. The applicant, responsible authorities, or any other persons, should bring to the Sub-Committee's attention any relevant paragraphs. However, it is suggested good practice for Members of the Sub-Committee to read the relevant paragraph(s) of the guidance prior to the hearing.

2 Options considered and recommended proposal

- 2.1 There are three courses of action available to the Sub-Committee in relation to this application:
- (i) Grant the application as requested. If the Sub-Committee consider that granting the application would not undermine any of the Licensing Objectives, it should be granted in full as submitted. This would be granted subject to mandatory conditions and conditions consistent with the applicant's operating schedule, and any other conditions agreed by the applicant as part of the consultation process. Any conditions to be attached to a licence must be appropriate to promote the Licensing Objectives.

(ii) Grant the application as above, but the Sub-Committee could impose extra conditions as it thinks fit, or make amendments to the operating schedule conditions, and/or proposed hours. This option may include adding any conditions suggested by other parties at the hearing, including the applicant. Any conditions to be attached to a licence must be appropriate to promote the Licensing Objectives.

(iii) If the Sub-Committee concludes that no additional conditions would ensure that the Licensing Objectives would be upheld, then the whole application should be rejected.

2.2 Your Officer recommends option (i).

The reason for this recommendation is that there have been no representations made by the responsible authorities (Environmental Protection and the Police), although the Police agreed conditions with the premises during the consultation process. Therefore, the current operating schedule is appropriate for the type of business operation and if problems do occur then the Review procedure is available to both responsible authorities and any other persons.

2.3 The Sub-Committee are advised that they may depart from the Officer recommendation if, having heard all of the evidence, they believe it is appropriate to do so. Should the Sub-Committee decide to depart from the recommendation and choose an alternative option, they must provide full reasons for this decision, based on the promotion of the Licensing Objectives. This application should be considered on its own merits and all the circumstances taken into account before a decision is made.

2.4 The Sub-Committee must also be aware that licences can be reviewed at any time by any Responsible Authority or any 'other person', if it is considered that any of the Licensing Objectives have been undermined following the grant of the premises licence.

3 Results of consultation undertaken

3.1 As prescribed by the Licensing Act 2003, the application has been out for consultation to statutory consultees (Responsible Authorities) and any 'other persons' for 28 days in the form of a notice displayed on the premises, and a notice published in a local newspaper.

3.2 Responsible Authorities have received a copy of the application. Please see below responses received:

| Responsible Authority | Response Received | Objections | Conditions Agreed |
|---------------------------------|--------------------------|-------------------|--------------------------|
| Licensing | No | - | - |
| Police | Yes | No | Yes |
| Environmental Protection | Yes | No | - |
| Fire Safety | No | - | - |
| Health & Safety | No | - | - |
| Trading Standards | Yes | No | - |
| Planning | No | - | - |
| Safeguarding Children | Yes | No | - |
| Public Health | No | - | - |
| Secretary of State | No | - | - |

3.3 Two representations have been received from residents (any other persons). The grounds for the representations are that the granting of the extension to the hours as requested would undermine the Licensing Objective of Prevention of Public Nuisance and the Prevention of Crime and Disorder. The representations note concerns regarding increased noise emanating from the premises during the week, and there are concerns that these extended hours would cause an increase in anti-social behaviour and criminality.

3.4 A mediation meeting will take place on 08 May 2019

4 Timetable for implementing this decision

4.1 The Appeal period is 21 days beginning on the date that the Appellant(s) receive notification of the decision of the Licensing Authority.

5 Comments from Director of Finance and Resources

5.1 Financial implications

There are no financial implications arising directly from this report. However, there are possible cost implications if an appeal against the decision is made to the Magistrates Court and the decision of the Sub-Committee is not upheld.

5.2 Legal implications

The Licensing Act 2003 sets out how applications for variations to premises licences should be dealt with where valid representations have been submitted. The Sub-Committee have to decide the outcome of the application taking into account the four Licensing Objectives.

In accordance with the provisions of the Act, if a Licensing Authority rejects in whole or in part, an application to grant a variation, the applicant may appeal against the decision, to a Magistrates' court within 21 days of receiving notification of the decision.

Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted or that alternative or additional conditions should have been imposed on the licence, they may appeal against the decision, to a Magistrates' court within 21 days of receiving notification of the decision.

6 Other implications

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint or Coventry Sustainable Community Strategy

It is the Regulatory Services team's responsibility to ensure that members of the public in Coventry are not put at risk. This contributes to the Council's core aim of ensuring that citizens live longer healthier lives. The business' failure to uphold the Licensing Objectives may have an adverse effect on Public Safety and citizen's quality of life.

6.2 How is risk being managed?

If the application is not handled in line with the Licensing Act 2003, there is a risk of judicial appeals, reviews and associated costs.

6.3 What is the impact on the organisation?

None

6.4 Equalities / EIA

This decision will not affect the service provision and therefore details of the Equalities Impact Assessment are not relevant in this case.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

The Council recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore continue to work with the West Midlands Police, Community Safety Partnership, local people and those involved in child

protection (Coventry Safeguarding Children Board) to promote the common objectives as outlined.

Report author(s):

Name and job title: Billy Rawlings, Licensing Officer

Directorate: Place

Tel and email contact: 024 7697 5496 / billy.rawlings@coventry.gov.uk

Enquiries should be directed to the above person.

| Contributor/approver name | Title | Directorate or organisation | Date doc sent out | Date response received or approved |
|--|-------------------------------|------------------------------------|--------------------------|---|
| Contributors: | | | | |
| Usha Patel | Governance Services Officer | Place | 01.05.19 | 01.05.19 |
| Davina Blackburn | Regulatory Services Manager | Place | 29.04.19 | 29.04.19 |
| Tracy Miller | Head of Planning & Regulation | Place | 01.05.19 | 01.05.19 |
| Names of approvers for submission: (officers and members) | | | | |
| Cath Crosby | Finance | Place | 26.04.19 | 26.04.19 |
| Amy Wright | Legal | Place | 23.04.19 | 29.04.19 |
| Andrew Walster | Director | Place | 01.05.19 | 01.05.19 |

This report is published on the council's website:
www.coventry.gov.uk/councilmeetings

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Marston's PLC being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number

LN/205001261

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description

New Spires, Grayswood Avenue,

Post town
Coventry

Post code
CV5 8HJ

Telephone number of premises (if any)

Non-domestic rateable value of premises

£11875

Part 2 – Applicant Details

Daytime contact telephone number

c/o 01142 668664

Email address
(optional)

Current postal
address if
different from
premises address

Marston's House, Brewery Road, Wolverhampton, , WV1 4JT

Post Town

Wolverhampton

Postcode

WV1 4JT

Part 3 – Variation

Do you want the proposed variation to have effect as soon as possible?

Please tick ✓ yes

If not do you want the variation to take effect from

Day Month Year

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see Guidance Note 1)

yes no

Please describe briefly the nature of the proposed variation (please read guidance note 2)

The premises is to have the benefit of a refurbishment as a result of which the Premises Licence has been reviewed. Application is therefore made to vary the Premises Licence as follows:

1. Layout.

Internal. The internal layout is sought to be changed as per drawing P0319/2537/01 which is attached and as follows:

- To the left of the premises removal of existing walls so as to provide more open plan format along with removal of current fixed seating.
- Adjacent to the entrance addition of new fixed seating to bay window.

External.

- To bring into the licensed area in respect of late night refreshment and retail sale of alcohol the external area to the front of the premises which has historically been used for purposes of consumption.
- To the rear of the premises the beer garden area which again has been historically used.

2. Licensable activities and hours.

Application is made to extend the hours for licensable activities in respect of Monday, Tuesday, Wednesday and Thursday to 12 midnight in line with Sunday trading in respect all licensable activities permitted and to bring forward the commencement of licensable activities on Saturdays to 10:00 hours as per the midweek hours.

3. Opening hours.

Application is made to extend the hours of opening not required to be amended in respect of the extension on Monday to Thursday as 00:30 hours is already permitted however hours open to the public are sought to be amended in respect of Saturday so as to commence from 10:00 hours.

No application is made with regard to the amendment to those conditions upon the Licence.

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Please tick ✓ yes

Provision of regulated entertainment (Please see guidance note 3)

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

| Plays Standard days and timings (please read guidance note 8) | | | Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | | |
|--|-------|--------|---|--|--|--|
| Day | Start | Finish | | Outdoors | | |
| Mon | | | Please give further details here (please read guidance note 5) | Both | | |
| Tue | | | | | | |
| Wed | | | | State any seasonal variations for performing plays (please read guidance note 6) | | |
| Thur | | | | | | |
| Fri | | | | | | |
| Sat | | | | Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Sun | | | | | | |

B

| Films Standard days and timings (please read guidance note 8) | | | Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | ✓ | |
|--|-------|--------|---|---|---|--|
| Day | Start | Finish | | Outdoors | | |
| Mon | 10:00 | 00:00 | Please give further details here (please read guidance note 5) | Both | | |
| Tue | 10:00 | 00:00 | | | | |
| Wed | 10:00 | 00:00 | | State any seasonal variations for the exhibition of films (please read guidance note 6) | | |
| Thur | 10:00 | 00:00 | | | | |
| Fri | 10:00 | 01:00 | | | | |
| Sat | 10:00 | 01:00 | | Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Sun | 11:00 | 00:00 | | | | |

C

| Indoor sporting events Standard days and timings (please read guidance note 8) | | | Please give further details (please read guidance note 5) |
|---|-------|--------|--|
| Day | Start | Finish | |
| Mon | 10:00 | 00:00 | |
| Tue | 10:00 | 00:00 | |
| Wed | 10:00 | 00:00 | |
| Thur | 10:00 | 00:00 | |
| Fri | 10:00 | 01:00 | |
| Sat | 10:00 | 01:00 | |
| Sun | 11:00 | 00:00 | |

D

| Boxing or wrestling entertainment Standard days and timings (please read guidance note 8) | | | Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | |
|--|-------|--------|---|----------|--|
| Day | Start | Finish | | Outdoors | |
| Mon | | | Please give further details here (please read guidance note 5) | Both | |
| Tue | | | | | |
| Wed | | | | | |
| Thur | | | | | |
| Fri | | | | | |
| Sat | | | | | |
| Sun | | | | | |

E

| Live music Standard days and timings (please read guidance note 8) | | | Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | ✓ |
|---|-------|--------|---|----------|---|
| Day | Start | Finish | | Outdoors | |
| | | | | Both | |
| Mon | 10:00 | 00:00 | Please give further details here (please read guidance note 5) | | |
| Tue | 10:00 | 00:00 | | | |
| Wed | 10:00 | 00:00 | State any seasonal variations for the performance of live music (please read guidance note 6) | | |
| Thur | 10:00 | 00:00 | | | |
| Fri | 10:00 | 01:00 | Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Sat | 10:00 | 01:00 | | | |
| Sun | 11:00 | 00:00 | | | |

F

| Recorded music Standard days and timings (please read guidance note 8) | | | Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | ✓ |
|---|-------|--------|---|----------|---|
| Day | Start | Finish | | Outdoors | |
| | | | | Both | |
| Mon | 10:00 | 00:00 | Please give further details here (please read guidance note 5) | | |
| Tue | 10:00 | 00:00 | | | |
| Wed | 10:00 | 00:00 | State any seasonal variations for playing recorded music (please read guidance note 6) | | |
| Thur | 10:00 | 00:00 | | | |
| Fri | 10:00 | 01:00 | Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Sat | 10:00 | 01:00 | | | |
| Sun | 11:00 | 00:00 | | | |

G

| Performances of dance Standard days and timings (please read guidance note 8) | | | Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | ✓ |
|--|-------|--------|--|----------|---|
| Day | Start | Finish | | Outdoors | |
| | | | | Both | |
| Mon | 10:00 | 00:00 | Please give further details here (please read guidance note 5) | | |
| Tue | 10:00 | 00:00 | | | |
| Wed | 10:00 | 00:00 | State any seasonal variations for the performance of dance (please read guidance note 6) | | |
| Thur | 10:00 | 00:00 | | | |
| Fri | 10:00 | 01:00 | Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Sat | 10:00 | 01:00 | | | |
| Sun | 11:00 | 00:00 | | | |

H

| Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8) | | | Please give a description of the type of entertainment you will be providing | | |
|---|-------|--------|---|----------|--|
| Day | Start | Finish | Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | |
| | | | | Outdoors | |
| | | | | Both | |
| Mon | | | Please give further details here (please read guidance note 5) | | |
| Tue | | | | | |
| Wed | | | State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6) | | |
| Thur | | | | | |
| Fri | | | Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7) | | |
| Sat | | | | | |
| Sun | | | | | |

I

| | | | | | | | | |
|---|-------|--------|---|----------|---|---|--|--|
| Late night refreshment Standard days and timings (please read guidance note 8) | | | Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 4). | Indoors | ✓ | | | |
| | | | | Outdoors | | | | |
| | | | | Both | | | | |
| Day | Start | Finish | Please give further details here (please read guidance note 5) | | | | | |
| Mon | 23:00 | 00:00 | | | | | | |
| Tue | 23:00 | 00:00 | | | | | | |
| Wed | 23:00 | 00:00 | | | | State any seasonal variations for the provision of late night refreshment (please read guidance note 6) | | |
| Thur | 23:00 | 00:00 | | | | | | |
| Fri | 23:00 | 01:00 | | | | Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7) No change to non standard timings | | |
| Sat | 23:00 | 01:00 | | | | | | |
| Sun | 23:00 | 00:00 | | | | | | |

J

| | | | | | | | | |
|--|-------|--------|--|------------------|---|--|--|--|
| Supply of alcohol Standard days and timings (please read guidance note 8) | | | Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 9) | On the premises | | | | |
| | | | | Off the premises | | | | |
| | | | | Both | ✓ | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 6) | | | | | |
| Mon | 10:00 | 00:00 | | | | | | |
| Tue | 10:00 | 00:00 | | | | | | |
| Wed | 10:00 | 00:00 | | | | | | |
| Thur | 10:00 | 00:00 | | | | Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7) No change to non standard timings | | |
| Fri | 10:00 | 01:00 | | | | | | |
| Sat | 10:00 | 01:00 | | | | | | |
| Sun | 11:00 | 00:00 | | | | | | |

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

NONE save for the presence of AWP machines the use of which is not permitted by persons under the age of 18

L

| Hours premises are open to the public Standard days and timings (please read guidance note 8) | | | State any seasonal variation (please read guidance note 6) |
|--|-------|--------|---|
| Day | Start | Finish | |
| Mon | 10:00 | 00:30 | Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7) |
| Tue | 10:00 | 00:30 | |
| Wed | 10:00 | 00:30 | |
| Thur | 10:00 | 00:30 | |
| Fri | 10:00 | 01:30 | |
| Sat | 10:00 | 01:30 | |
| Sun | 11:00 | 00:30 | |
| | | | |
| | | | |
| | | | |

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick ✓ yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

The proposed changes to the interior of the premises will significantly enhance the amenity of the premises. The inclusion of the external areas will regularise the position with regard to the licensed area all areas having been used historically without issues arising.

The extension of hours of operation midweek bring the premises in line with the Sunday hours of trading. It is not anticipated that any of the proposed changes will materially impact upon the nature of the premises operation or have adverse impact upon the four licensing objectives.

The above is provided by way of explanation and is not intended to be converted into conditions.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed.

c) Public safety

No further risks have been identified which need to be addressed.

d) The prevention of public nuisance

No further risks have been identified which need to be addressed.

e) The protection of children from harm

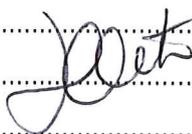
No further risks have been identified which need to be addressed.

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent. (Please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners 
 Date: 20th March 2019
 Capacity: Solicitors.....

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners
 Date:
 Capacity: Solicitors.....

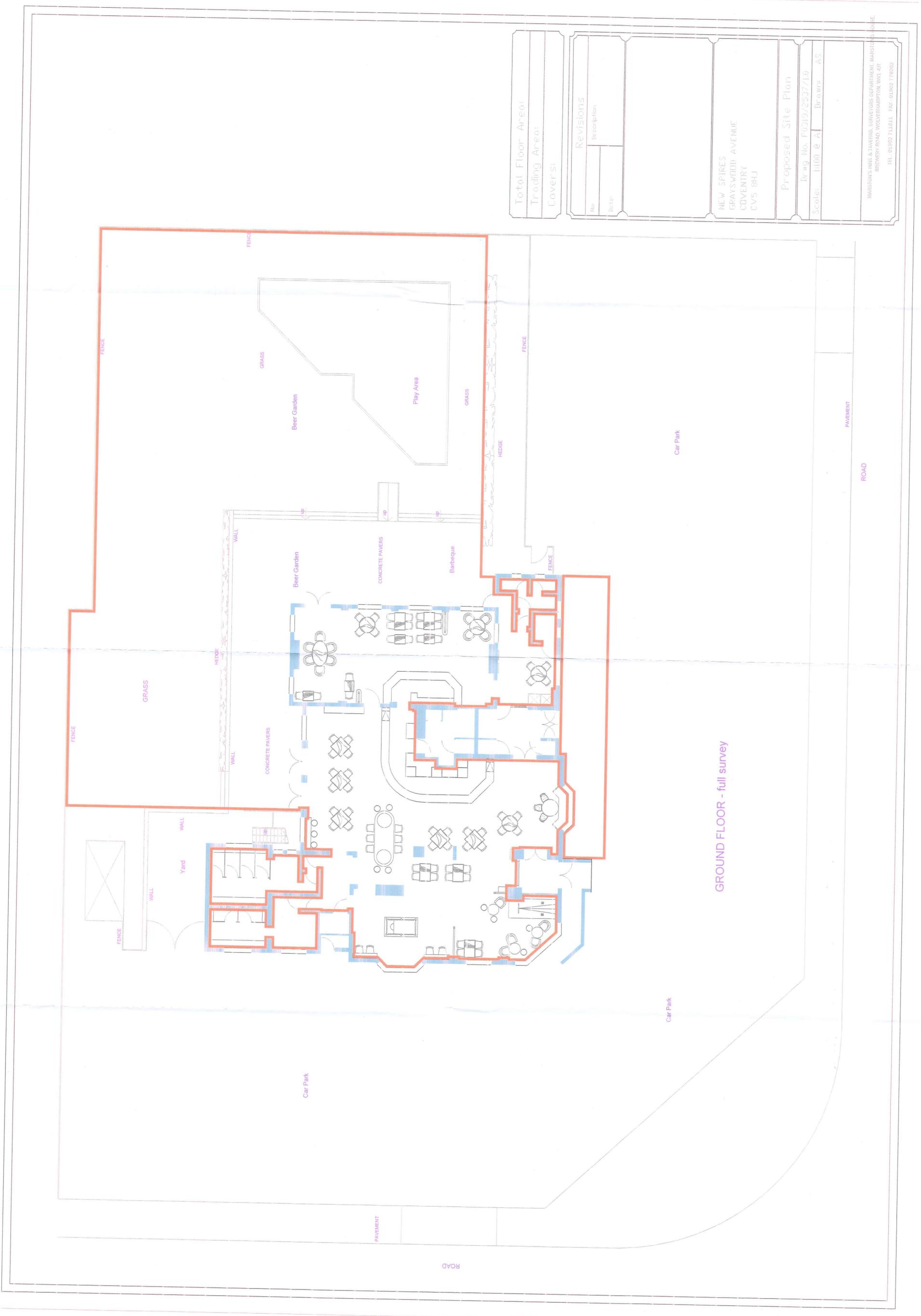
| | |
|---|-----------------------------|
| Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15) | |
| John Gaunt & Partners Omega Court 372 Cemetery Road | |
| Post town Sheffield | Post code S11 8FT |
| Telephone number (if any) 0114 266 8664 | |
| If you would prefer us to correspond with you by email your email address (optional) mhazlewood@john-gaunt.co.uk | |

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.



GROUND FLOOR - full survey

| Total Floor Area: | |
|--|-------------|
| Trading Area: | |
| Covered: | |
| Revisions | |
| No. | Description |
| | |
| NEW SPIRES GRAYSWOOD AVENUE COVENTRY CV5 8HJ | |
| Proposed Site Plan | |
| Drawg No. F0319/253771.0 | |
| Scale: 1:100 @ A1 | Drawn AS |
| MARSTON'S INNS & TAVERNS SURVEYORS DEPARTMENT, MARSTON'S HOUSE, BREWERY ROAD, WOLVERHAMPTON WV1 4T TEL: 01902 711811 FAX: 01902 778002 | |

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Rawlings, Billy

From: [REDACTED]
Sent: 12 April 2019 13:51
To: Rawlings, Billy
Subject: FW: New spires objection

[REDACTED]
Sent: 12 April 2019 12:45
To: Licensing <licensing@Coventry.gov.uk>; [REDACTED]
Subject: New spires objection

RE: Application by Marston's PLC to vary the premises licence for
the New Spires, Grayswood Ave, Coventry. CV5 8HD 20/3/19

Dear Sir/Madam

I would like to object in the strongest possible terms to the possible variation of the premises licence for the New Spires, Grayswood Ave, Coventry. This is on the ground of noise nuisance & criminality.

It is known locally that the pub car park is used as a drop off point for drug dealers & I have seen drug paraphernalia left on the car park floor & outside the bar doors (inc joint butts & used bags, obviously previously containing white powder) I do not blame the pub for this & have nothing more than anecdotal evidence about this.

I, along with a dozen local residents objected to the extension of the licenced hours when they were extended for Friday, Saturday, Sunday & Bank Hols some time ago. Since then issues with noise particularly from the rear of the building have continued but are now extended to later on those nights. The noise is from amplified music, not helped by doors/windows being left open & compounded by crowds of loud drinkers outside of the rear of the building.

I have call the City Council's noise team several times & as they are such a busy team they have only been able witness the noise on two occasions.

I do call the New Spires when the noise becomes a problem, this appears to fall on deaf ears on the rare occasion they pick up.

Only last night (Thursday 11th April) I called the noise nuisance team to complain of noise from the New Spires. Fortunately the noise abated relatively early, around 9.30pm & the team had no need to attend.

The prospect of the New Spires being able to create this sort of disturbance till midnight, plus drinking up time all week, will no doubt cause later & more disruptive noise. The pub is in the middle of a residential area & when people's lives are being disturbed the issues need to be addressed. Granting later hours will cause us further disruption & we would urge you not to grant this variation.

Thanks



7 /4 /2019

Licencing Authority
Coventry City Council

Dear Sir / Madam.

I am writing this letter in response to the notice displayed outside the New Spires Public House in Grayswood Avenue

I oppose the application for increasd hours of business Monday to Thursday up until midnight.

The area is very residential with houses all around the pub. Many have young children,also directly opposite there is a house recently bought by Coventry City Council to house young children from disturbed backgrounds whilst awaiting to be fostered or adopted .

The increased hour of business during the week is totally wrong when so many people adults and children will have disturbed nights. There is drinking up time. People talking in the carpark. Car doors banging. Engines starting up ,and headlights illuminating bedrooms. Not a very pleasant thought.

Disturbance to residents could well go into the early hours .Not good for adults who have to go to work early in the morning , and even worse for children going to school if their night has been disturbed.

Yours sincerely,



Rawlings, Billy

From: Karen Healy <k.aspin@west-midlands.pnn.police.uk>
Sent: 18 April 2019 15:49
To: Rawlings, Billy
Subject: FW: New Spires, Grayswood Avenue, Coventry. LN/205001261

Hi Billy

Mission achieved – as per below these are the conditions agreed with the Solicitor for the New Spires.

As such we have no objection to the application.

The premises has minimal calls to the Police and minimal crime reported at the location.

Regards
Karen
PC 7136 Healy

From: Michelle Hazlewood CBII [<mailto:MHazlewood@john-gaunt.co.uk>]
Sent: 18 April 2019 15:44
To: Karen Healy
Cc: Sue McCourt; Licensing
Subject: Re: New Spires, Grayswood Avenue, Coventry. LN/205001261

Karen
Thank you for this I can confirm on behalf of marston that this is agreed.

Michelle Hazlewood
07801 924 301
Sent from my iPhone

On 18 Apr 2019, at 15:37, Karen Healy <k.aspin@west-midlands.pnn.police.uk> wrote:

Hi Michelle

As discussed If you can confirm the below conditions for the New Spires we have no objections to the application.

1. There shall be no use of the garden after midnight. Licensable activity in all external licensable areas to therefore cease at midnight.
2. The use of door staff will be risk assessed on an on-going basis by the Premises Licence Holder or Designated Premises Supervisor. When engaged, door staff shall be licensed by the Security Industry Authority.
3. CCTV to operate at the premises to the agreed standards covering all internal areas. Images are to be retained for a minimum of 28 days and made available to download at the request of the Responsible Authorities.
4. Refusals to be monitored and documented.
5. All staff to be trained in basic licensing law. This is to be documented and refreshed annually.
6. Challenge 21 is to be operated at the premises.

Hi Sue – I have spoken to Michelle but just in case we had any IT issues I have included you in the email.

Regards
Karen, PC 7136 Healy, Licensing, Coventry Central, 02476539097

LICENSING ACT 2003

Full Premises Licence

The New Spires

| | |
|--------------------------------|--------------|
| Premises licence number | LN/205001261 |
|--------------------------------|--------------|

Part One – Premises Details

| | |
|---|------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| The New Spires Grayswood Avenue | |
| Post town | Post code |
| Coventry | CV5 8HJ |
| Telephone number | |

| |
|--|
| Where the licence is time limited the dates |
| N/A |

| The times the licence authorises the carrying out of Licensable Activities | | | |
|---|------------------|-------------|-----------|
| | Indoors | | |
| Exhibiting Film | | From | To |
| | Sunday | 11:00 | 00:00 |
| | Monday | 10:00 | 23:00 |
| | Tuesday | 10:00 | 23:00 |
| | Wednesday | 10:00 | 23:00 |
| | Thursday | 10:00 | 23:00 |
| | Friday | 10:00 | 01:00 |
| | Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).
From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.
To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.



LICENSING ACT 2003

Full Premises Licence

| Indoors | | |
|-------------------------------|-------------|-----------|
| Late Night Refreshment | From | To |
| Sunday | 23:00 | 00:00 |
| Monday | 23:00 | 00:00 |
| Tuesday | 23:00 | 00:00 |
| Wednesday | 23:00 | 00:00 |
| Thursday | 23:00 | 00:00 |
| Friday | 23:00 | 01:00 |
| Saturday | 23:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

| On and Off the Premises | | |
|--------------------------|-------|-------|
| Supply of Alcohol | | |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.



LICENSING ACT 2003

Full Premises Licence

| Premises | | |
|---------------------------|-------------|-----------|
| Open to the Public | From | To |
| Sunday | 11:00 | 00:30 |
| Monday | 10:00 | 00:30 |
| Tuesday | 10:00 | 00:30 |
| Wednesday | 10:00 | 00:30 |
| Thursday | 10:00 | 00:30 |
| Friday | 10:00 | 01:30 |
| Saturday | 11:00 | 01:30 |

The premises will close for service to the public 30 minutes after the end of non-standard timings for licensable activities.

| Indoors | | |
|------------------------------|-------------|-----------|
| Indoor Sporting Event | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

LICENSING ACT 2003

Full Premises Licence

| Indoors | | |
|---|-------------|-----------|
| Live Music | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |
| <p>To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).</p> <p>From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.</p> <p>To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.</p> | | |

| Indoors | | |
|---|-------------|-----------|
| Recorded Music | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |
| <p>To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).</p> <p>From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.</p> <p>To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.</p> | | |



LICENSING ACT 2003

Full Premises Licence

| Indoors | | |
|------------------------------|-------------|-----------|
| Performances of Dance | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

ON AND OFF SALES

Part Two

Name, (registered) address, telephone number(s) and email (where relevant) of holder of premises licence

Marstons Plc
Marston's House
Wolverhampton
WV1 4JT



LICENSING ACT 2003

Full Premises Licence

Registered number of holder, for example company number, charity number (where applicable)

N/A

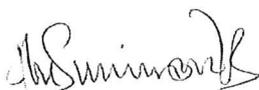
Name, (registered) address, and telephone number(s) of designated premises supervisor where the premises licence authorises the supply of alcohol

Karl James Keable
New Spires
Grayswood Avenue
Coventry
CV5 8HJ

Personal Licence Number and Issuing Authority of Personal Licence held by Designated Premises Supervisor where the premises authorises the supply of alcohol

Licence number - CV210000323 - Coventry City Council

Dated this 15th March 2016



Head of Regulatory Services

Regulatory Services
Broadgate House
Broadgate
Coventry
CV1 1NH

Page 6 of 6



Annex 1

Mandatory Conditions

Section 19 Licensing Act 2003

Where this licence authorises the supply of alcohol,

- 1. No supply of alcohol may be made under the licence:**
 - a. at a time when there is no designated premises supervisor (DPS) in respect of the licence, or**
 - b. at a time when the DPS does not hold a personal licence or that licence is suspended**

- 2. Every supply of alcohol under the licence must be made or authorised by a person who holds a personal licence**

Section 20 Licensing Act 2003

Where this licence authorises the exhibition of films,

- (1) the admission of children to the exhibition of any film will be restricted.**
- (2) Where the film classification body is specified in the licence, unless otherwise stated, admission of children must be restricted in accordance with any recommendation made by that body.**
- (3) Where :**
 - i. the film classification body is not specified in the licence, or**
 - ii. the licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.**

Section 21 Licensing Act 2003

Where this licence includes a condition that at specified times one or more individuals must be on the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

Where a licence authorises alcohol to be consumed on the premises the following conditions apply:

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

4. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Annex 2

Conditions consistent with the Operating Schedule

Licensees Statement of Operating Schedule as attached including:

Part 1

- A) General all four licensing objectives**
- B) The Prevention of Crime and Disorder**
- C) Public Safety**
- D) Prevention of Public Nuisance**
- E) Protection of Children from Harm**

Part 2

Conditions reproducing the effect of all conditions currently attached to the existing licence (both standard and special conditions).

Licensing Act 1964- None

Theatres Act 1968- None

Cinemas Act 1985 - None

Local Government (Miscellaneous Provisions) Act, 1982 – None

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 15)

I have undertaken my own risk assessment to take the following proposed steps.

The types of regulated entertainment proposed materially do no more than reinstate the normal pub entertainment that was previously unregulated as identified in B1 above.

No new steps have been identified in relation to the four licensing objectives save as below.

b) The prevention of crime and disorder

No further risks have been identified which need to be addressed, save as below

1. Any person exercising a security activity (as defined by paragraph 2(1)(a) of schedule 2 of the Private Security Industry Act 2001) shall be licensed by the Security Industry Authority.
2. Such a person will be employed at the premises at the discretion of the designated premises supervisor/holder of the Premises Licence.
3. Any person as defined in condition (1) will clearly display his name badge at all times whilst on duty.
4. No customers apparently carrying open bottles upon entry shall be admitted to the premises at any times the premises are open to the public.
5. Where CCTV is installed with recording facilities such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
6. Alcoholic and other drinks may not be removed from the premises in open containers save for consumption in any external area provided for that purpose.

c) Public safety

No further risks have been identified which need to be addressed, save as below

1. To comply with the reasonable requirements of the fire officer from time to time.
2. To comply with the reasonable requirements of the building control officer.

Converted to Word by
John Gaunt & Partners
Licensing Solicitors

13

d) The prevention of public nuisance

No further risks have been identified which need to be addressed, save as below

1. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
2. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.

Children under the age of 16 shall not be permitted to enter the premises after 21:00.

LN 205001261 - THE RECTORY

Annex 3

Conditions Attached after a Hearing by the Licensing Authority

1. Every Friday and Saturday, when either live or recorded music is being played at the premises, all doors and windows are to be kept closed from 10:30pm, save for access to and from the premises, and in the case of an emergency.
2. Every Friday and Saturday, checks of the premises boundary are to be made from 9pm. All findings are to be recorded in a log book, to be made available for viewing by any responsible authority upon request.
3. Alcohol is not to be consumed in the beer garden after midnight.
4. Clear legible notices are to be displayed at all exits asking that customers leave the premises quietly.

Annex 4

Plans

The Plan attached to this licence as attached.

LICENSING ACT 2003

Summary Licence To Be Displayed

The New Spires

| | |
|--------------------------------|---------------------|
| Premises licence number | LN/205001261 |
|--------------------------------|---------------------|

| | |
|---|------------------|
| Postal address of premises, or if none, ordnance survey map reference or description | |
| The New Spires Grayswood Avenue | |
| Post town | Post code |
| Coventry | CV5 8HJ |
| Telephone number | |

| |
|--|
| Where the licence is time limited the dates |
| N/A |

| The times the licence authorises the carrying out of licensable activities | | |
|---|-------------|-----------|
| Indoors | | |
| Exhibiting Film | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).
From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.
To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.



LICENSING ACT 2003

Summary Licence

To Be Displayed

| Indoors | | |
|-------------------------------|-------------|-----------|
| Late Night Refreshment | From | To |
| Sunday | 23:00 | 00:00 |
| Monday | 23:00 | 00:00 |
| Tuesday | 23:00 | 00:00 |
| Wednesday | 23:00 | 00:00 |
| Thursday | 23:00 | 00:00 |
| Friday | 23:00 | 01:00 |
| Saturday | 23:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).
From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

| On and Off the Premises | | |
|--------------------------|-------|-------|
| Supply of Alcohol | | |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.



LICENSING ACT 2003

Summary Licence To Be Displayed

| Premises | | |
|---------------------------|-------------|-----------|
| Open to the Public | From | To |
| Sunday | 11:00 | 00:30 |
| Monday | 10:00 | 00:30 |
| Tuesday | 10:00 | 00:30 |
| Wednesday | 10:00 | 00:30 |
| Thursday | 10:00 | 00:30 |
| Friday | 10:00 | 01:30 |
| Saturday | 11:00 | 01:30 |

The premises will close for service to the public 30 minutes after the end of non-standard timings for licensable activities.

| Indoors | | |
|------------------------------|-------------|-----------|
| Indoor Sporting Event | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.



LICENSING ACT 2003

Summary Licence To Be Displayed

| Indoors | | |
|-------------------|-------------|-----------|
| Live Music | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).
From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

| Indoors | | |
|-----------------------|-------------|-----------|
| Recorded Music | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.



LICENSING ACT 2003

Summary Licence To Be Displayed

| Indoors | | |
|-----------------------|-------|-------|
| Performances of Dance | From | To |
| Sunday | 11:00 | 00:00 |
| Monday | 10:00 | 23:00 |
| Tuesday | 10:00 | 23:00 |
| Wednesday | 10:00 | 23:00 |
| Thursday | 10:00 | 23:00 |
| Friday | 10:00 | 01:00 |
| Saturday | 11:00 | 01:00 |

To permit sale of alcohol and such regulated entertainment as authorised hereunder until 01.00 on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas Eve, Boxing Day and on up to 20 occasions per annum at my discretion upon 7 days prior notice to the Police (if required by them).

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

To permit the premises to open for licensable activities to show the televised sporting events of national or international interest outside normal operating hours, such opening times for this purpose to be confirmed upon seven days prior notice in writing to the police before the premises intend to open, such notification to include the opening times and the sporting event which is to be shown.

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

ON AND OFF SALES

Name, (registered) address, telephone number(s) and email (where relevant) of holder of premises licence

Marstons Plc
Marston's House
Wolverhampton
WV1 4JT

Registered number of holder, for example company number, charity number (where applicable)

N/A



LICENSING ACT 2003

Summary Licence To Be Displayed

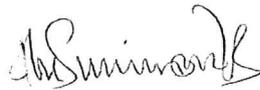
Name of Designated Premises Supervisor where the Premises Licence authorises the supply of alcohol

Karl James Keable

State whether access to the premises by children is restricted or prohibited

RESTRICTED

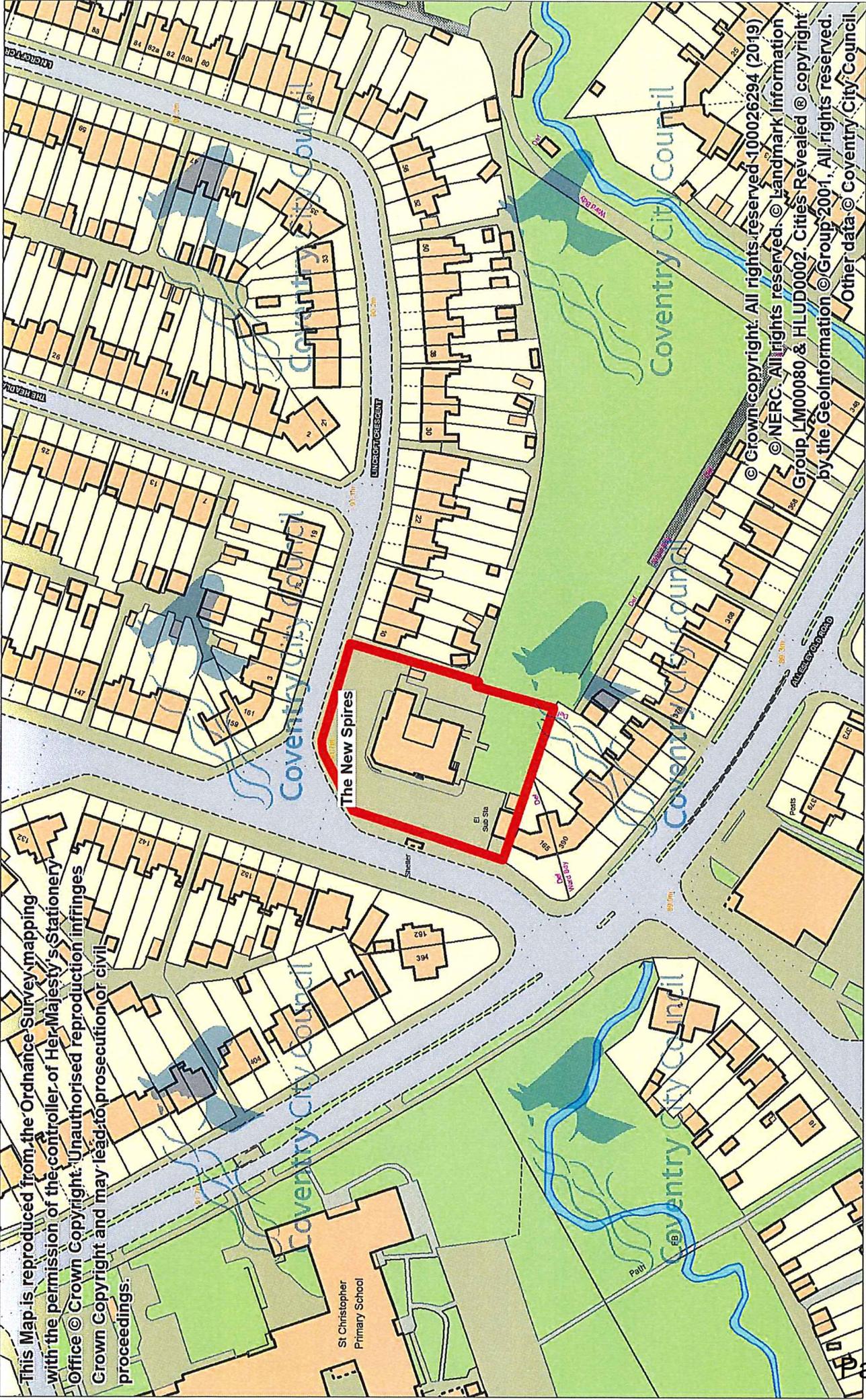
Dated this 15th March 2016



Head of Regulatory Services

Regulatory Services
Broadgate House
Broadgate
Coventry
CV1 1NH





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Environmental Protection
 Coventry City Council
 One riargate
 Coventry CV1 2GY



Coventry City Council

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Coventry City Council

LICENSING ACT 2003

LICENSING SUB-COMMITTEE

HEARING PROCEDURE NOTE

1. The Members of the Sub-committee will enter the hearing room.
2. The Chair will introduce the Members of the Sub-committee and its supporting officers (normally a legal adviser and a minute taker) and will ask each of the parties (and their representatives) to identify themselves.
3. The Chair will ask if the parties have received and understood the procedure note (and in particular that cross-examination by the parties is not allowed) and whether anyone present would like the procedure explained further?
4. The Chair will confirm any relevant further documents the licensing authority has received before the hearing and will be considering, and will ask the parties whether there are any other documents they now wish to present (subject to the other parties' consent) and their reasons for doing so.
5. The Chair will ask if any party wishes to call witnesses in support of their case and their reasons for doing so.
6. The Licensing Officer will give a brief description of the application, confirm whether all relevant application formalities have been complied with and where relevant, that the authority has notified the parties of any points that the authority wanted clarification on at the hearing?
7. The Chair will invite the applicant/licensee/review applicant (or representative) to present their case (maximum 20 minutes).
8. The Chair will invite Members of the Sub-committee to ask the applicant/licensee/review applicant (or representative) questions.
9. The Chair will invite each objector/review review respondent (or representative) to present their case (maximum 20 minutes each)
10. The Chair will invite Members of the Sub-committee to ask each objector/review respondent (or representative) questions.
11. The Chair will invite each objector/review respondent (or representative) to sum up their case and if they wish, to comment on anything said by any other party (maximum 10 minutes).
12. The Chair will invite the applicant/licensee/review applicant to sum up their case and if they wish, to comment on anything said by any other party (maximum 10 minutes).

- *[13. The Members of the Sub-committee will retire with their supporting officers to make their decision.
- 14 The Members of the Sub-committee and their supporting officers will return to the hearing room and the Chair will invite the Committee Solicitor to inform the meeting of the decision made, any facts relied on, the reasons for the decision and any specific legal advice given.
15. The Sub-committee's decision will be confirmed in a written Notice of Determination that will be issued to all parties within 10 working days of the determination.
- * Where permitted by the Act, the Chair may close the meeting at this point and re-convene the meeting in private at a later date for the Sub-committee to make its decision.



Coventry City Council

Licensing Act 2003

Briefing Note 3 – Hearing to Consider a Premises Licence Variation Application

Background

The holder of a premises licence can apply to vary the terms of that licence. A variation application cannot be used to extend the life of a time-limited premises licence or to substantially alter the premises covered by the licence. A new premises licence application would be required to achieve this involving a fresh "Operating Schedule" and plan.

A hearing is required because "relevant representations" (i.e. relevant to the licensing objectives) have been made by a "responsible authority" (i.e. police, fire or local government agencies) or any other person or both.

Section 182 Guidance (Apr 2018)

Particular reference should be made to Parts 8.66f, 9 and 10.

Local Statement of Licensing Policy (2016)

Particular reference should be made to Parts 4, 5, 6, 7

Human Rights Act

The hearing procedure and the availability of a statutory right of appeal comply with the Article 6 requirement to provide a fair hearing when determining the applicant's and objectors' civil rights. A decision to vary a licence will only be regarded as infringing the Article 8 rights of local residents/businesses if any noise/disturbance likely to be caused is of an extreme nature. Given the police powers to close premises in these circumstances this is unlikely to be an issue at application stage.

The Sub-committee's powers

Having heard from the applicant and the other parties the sub-committee may:

- (a) grant the application; or
- (b) grant the application in part or with additional or modified conditions; or
- (c) reject the application outright

Different conditions can be made to apply to different areas of the premises or to different licensable activities taking place on the premises.

Rights of Appeal

An aggrieved applicant can appeal to Coventry Magistrates' Court against any decision made by the sub-committee that falls within (b) and (c) above. An aggrieved objector can also appeal against the grant of an application (i.e. (a) and (b) above).

Monitoring/Enforcement

If an application is approved, monitoring and enforcement of Premises Licence conditions will be carried out in accordance with the Licensing Enforcement Policy.