



### **Licensing and Regulatory Sub-Committee (Hearing)**

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**Time and Date**

10.00 am on Tuesday, 28th May, 2019

**Place**

Dame Ellen Terry Suite - Council House

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**Public Business**

1. **Appointment of Chair**
2. **Apologies**
3. **Declarations of Interest**
4. **Licensing Act 2003 - Application for a New Premises Licence** (Pages 3 - 44)

To consider an application for a New Premises Licence in respect of Swan Lane Express, 180 Swan Lane, 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

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Martin Yardley, Deputy Chief Executive (Place), Council House Coventry

Friday, 17 May 2019

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

Membership: Councillors Birdi, Kaur and Thomas

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](mailto:usha.patel@coventry.gov.uk) or  
[Carolyn.Sinclair@coventry.gov.uk](mailto:Carolyn.Sinclair@coventry.gov.uk)**



Licensing & Regulatory Sub-Committee

28 May 2019

**Name of Cabinet Member:**

Not applicable

**Director Approving Submission of the report:**

Deputy Chief Executive Place

**Ward(s) affected:**

St Michaels

**Title: Application for a Premises Licence under the Licensing Act 2003**

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**Is this a key decision?**

No

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**Executive Summary:**

The purpose of this report is to consider an application for a New Premises Licence under the Licensing Act 2003 for Swan Lane Express, 180 Swan Lane, Coventry, CV2 4GB.

**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 Application
2. DPS Consent Form
3. Plan of Premises
4. Representations
5. Conditions Agreed with EP
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 application for Swan Lane Express was received on 29<sup>th</sup> March 2019. The application is requesting the sale/supply of alcohol (Off Sales) from Sunday to Thursday 07.00hrs – 02.00hrs, Friday & Saturday 07.00hrs – 04.00hrs. Please note the application has been amended during the consultation process to reduce the hours for the sale/supply of alcohol (outlined in paragraph 3.4).
- 1.3 Five representations from two Ward Councillors and three members of the public have been received to the application (outlined in paragraph 3.3).
- 1.4 In addition to the mandatory conditions, the Sub-Committee should refer to the operating schedule detailed in the application (Appendix 1), which will be attached as conditions to the licence should it be granted.
- 1.5 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.
- 1.6 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 / mediation 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 (ii).

The reason for this recommendation is that a reduction of operating hours and an additional condition relating to customers leaving the premises quietly has been agreed by the applicant following mediation with EP. However a mediation meeting between the objectors and the applicant was not accepted, therefore additional conditions and changes to the operating schedule may be desirable following full consideration of the application by the Sub-Committee. The Sub-Committee may decide to grant the application subject to further conditions and/or amendments to the operating schedule 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 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:

<b>Responsible Authority</b>	<b>Response Received</b>	<b>Objections</b>	<b>Conditions Agreed</b>
<b>Licensing</b>	No	No	-
<b>Police</b>	Yes	No	-
<b>Environmental Protection</b>	Yes	No	Yes
<b>Fire Safety</b>	No	No	-
<b>Health &amp; Safety</b>	No	No	-
<b>Trading Standards</b>	Yes	No	-
<b>Planning</b>	No	No	-
<b>Safeguarding Children</b>	Yes	No	-
<b>Public Health</b>	No	No	-
<b>Secretary of State</b>	No	No	-

3.3 Five representations have been received to the application, two from Ward Councillors and three from members of the public (Appendix 4). The grounds for the representations are that the granting of a Premises Licence would undermine the licensing objectives of Public Nuisance, Crime and Disorder and Protection of Children from Harm. The representations note that the granting of the licence would lead to an increase in anti-social behaviour and criminal activity.

- 3.4 During the consultation period, mediation between Environmental Protection and the Applicant has resulted in the Applicant agreeing to reduce trading hours as follows: Sunday to Thursday, 08:00hrs to 23:00hrs. Friday and Saturday, 08:00hrs to 00:00hrs (midnight), and to agree the following condition:

*Clear and prominent notices shall be displayed at the exit(s) requesting customers to leave the area in a quiet and orderly manner.*

- 3.5 Mediation was offered to the objectors, but this offer has not been accepted by any of the Objectors.

#### **4. Timetable for implementing this decision**

- 4.1 The Appeal period is 21 days from the applicant and objectors being notified of the decision.

#### **5. Comments from Director of Finance and Corporate Services**

##### **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 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 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 Premises Licence the applicant may appeal against the decision, to a Magistrates' court within 21 days of being notified 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 being notified 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:** 024 7697 2247

**email contact:** [billy.rawlings@coventry.gov.uk](mailto: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
Usha Patel	Governance Services Officer	Place	07.05.2019	07.05.19
Davina Blackburn	Regulatory Services Manager	Place	03.05.19	07.05.19
Tracy Miller	Head of Planning & Regulation	Place	08.05.19	10.05.19
<b>Names of approvers for submission:</b> (Officers and Members)				
Cath Crosby	Finance	Place	07.05.19	08.05.19
Amy Wright	Legal	Place	07.05.19	07.05.19
Andrew Walster	Director	Place	08.05.19	08.05.19

This report is published on the council's website:

[www.coventry.gov.uk/councilmeetings](http://www.coventry.gov.uk/councilmeetings)



\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Is the applicant's business registered outside the UK?  Yes  No

Business name  If the applicant's business is registered, use its registered name.

VAT number   Put "none" if the applicant is not registered for VAT.

[Redacted]

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000(c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21****INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes                       No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes                       No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country



### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

CONTACT@ARKALICENSING.CO.UK

Telephone number

07588300675

Other telephone number

\* Date of birth

19 / 02 / 1986  
dd mm yyyy

\* Nationality

SRILANKAN

[Documents that demonstrate entitlement to work in the UK](#)

Right to work share code

[Right to work share code if not submitting scanned documents](#)

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?

01 / 05 / 2019  
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

/ /  
dd mm yyyy

Provide a general description of the premises

**Continued from previous page...**

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 for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

THIS PREMISES HAD BEEN CLOSED AND IT WAS PREVIOUSLY OPERATED AS A USED CAR PARTS SHOP BY LANDLORD FAMILY. THE MAIN ENTRANCE WOULD BE AT THE CORNER, AS THIS IS A CORNER SHOP. THIS WOULD BE A SMALL STORE AND WOULD STOCK EVERYTHING A HOUSEHOLD NEED. IT WOULD BE A LITTLE EXPRESS SHOP FOR LOCAL HOUSEHOLD AND LOCAL BUSINESSES. THE STORE WOULD BE RUN BY FAMILY RESIDING AT THE PREMISES

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

Continued from previous page...

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes
- No

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes
- No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes
- No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes
- No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

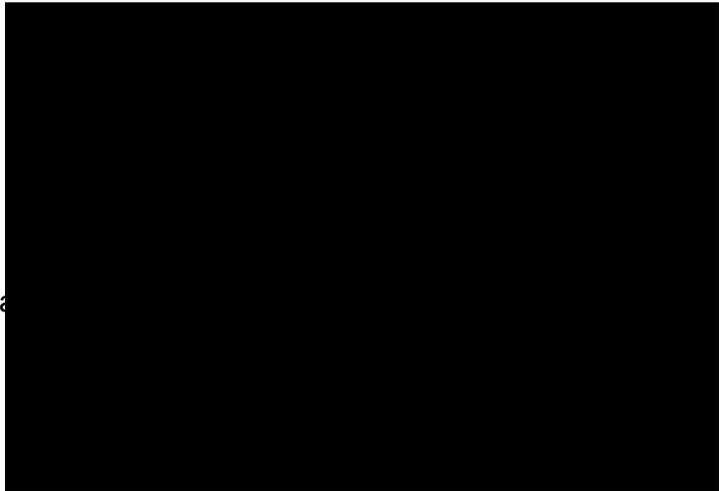
Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.



Continued from previous page...

**Enter the contact's address**

Building number or name  
Street  
District  
City or town  
County or administrative area  
Postcode  
Country



Personal Licence number (if known)   
Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="04:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="02:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 18 of 21**

**LICENSING OBJECTIVES**

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

**Page 18**

a) General – all four licensing objectives (b,c,d,e)

**Continued from previous page...**

List here steps you will take to promote all four licensing objectives together.

APPLICANT IS A FAMILY AND ALSO RESIDING AT THE SAME PREMISES, HOUSE BEHIND. AS A FAMILY BUSINESS WITH EXPERIENCE WORKING IN RETAIL OVER 5 YEARS, BOTH HUSBAND AND WIFE WILL RUN THE BUSINESS RESPONSIBLY.

b) The prevention of crime and disorder

1. A CCTV system shall be installed and maintained at the premises to cover the entrance and internal public areas, recorded images shall be kept for 31 days and provided to Police or Council Officers, in a useable form, upon request.

2. Ensure an incident book is maintained at the premises to record details of any incidents the nature of which may have compromised any of the licensing objectives under the Licensing Act 2003. CCTV recording dates & times shall be linked to incident book entries.

c) Public safety

THE STORE WILL FOLLOW GENERAL HEALTH SAFETY AND FIRE SAFETY LAW. AND ALSO SAFETY PROCEDURES REQUIRED BY THE BUILDING MANAGEMENT

d) The prevention of public nuisance

THE MANAGEMENT WILL MAINTAIN THE AREA CLEAN AND TIDY ALL TIMES.

e) The protection of children from harm

3. Ensure that a Challenge 25 policy is operated at the premises with appropriate signage displayed inside and outside the premises.

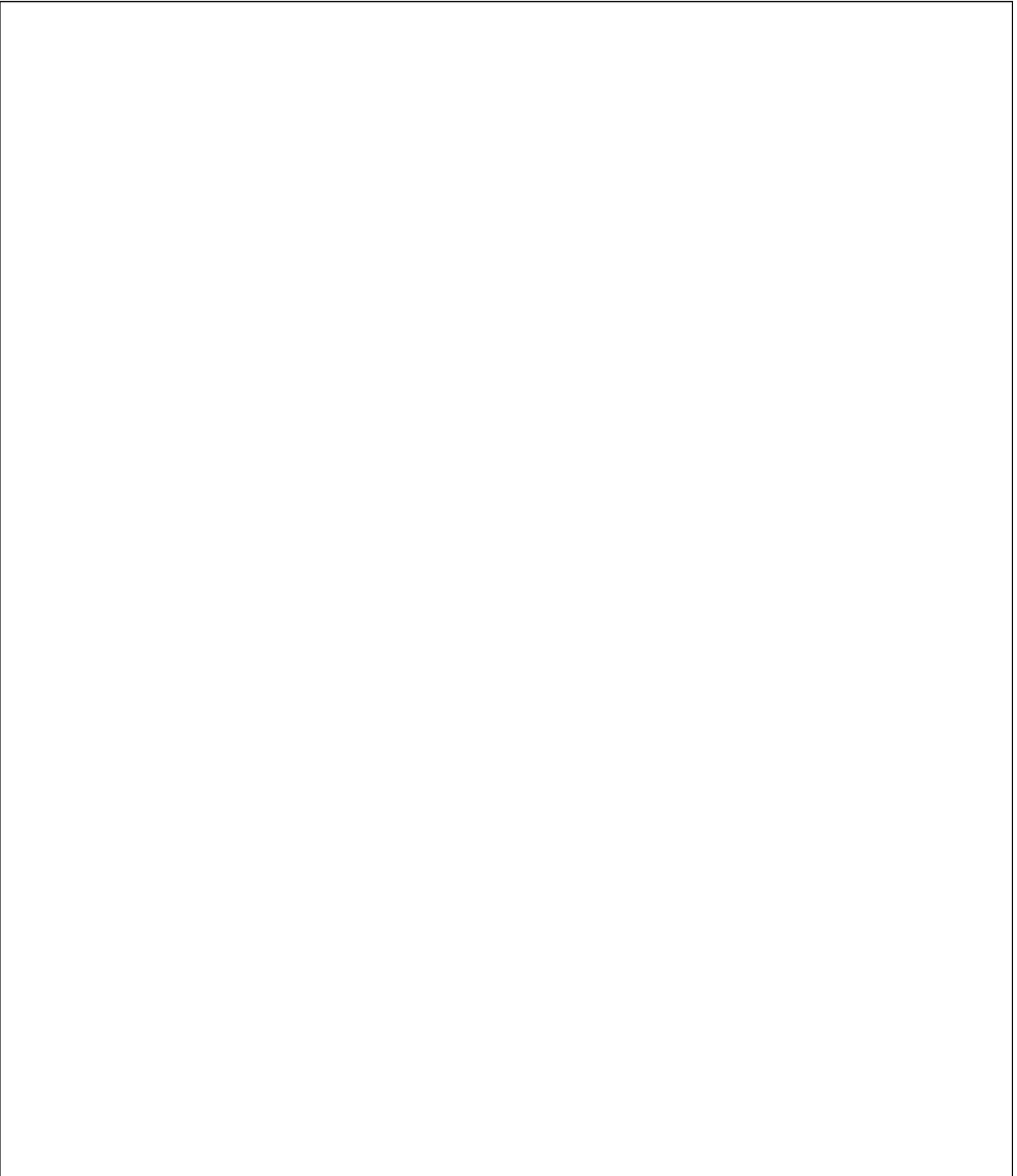
4. Ensure that all staff are given regular training in relation to the Licensing Act 2003. Training records will be kept at the premises and refresher training will be given to all staff every year.

5. Ensure a 'refusals register' is in use at the premises to record age related and other refused sales in electronic form or in a hard copy.

**Section 19 of 21**

**NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**





**Continued from previous page...**

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

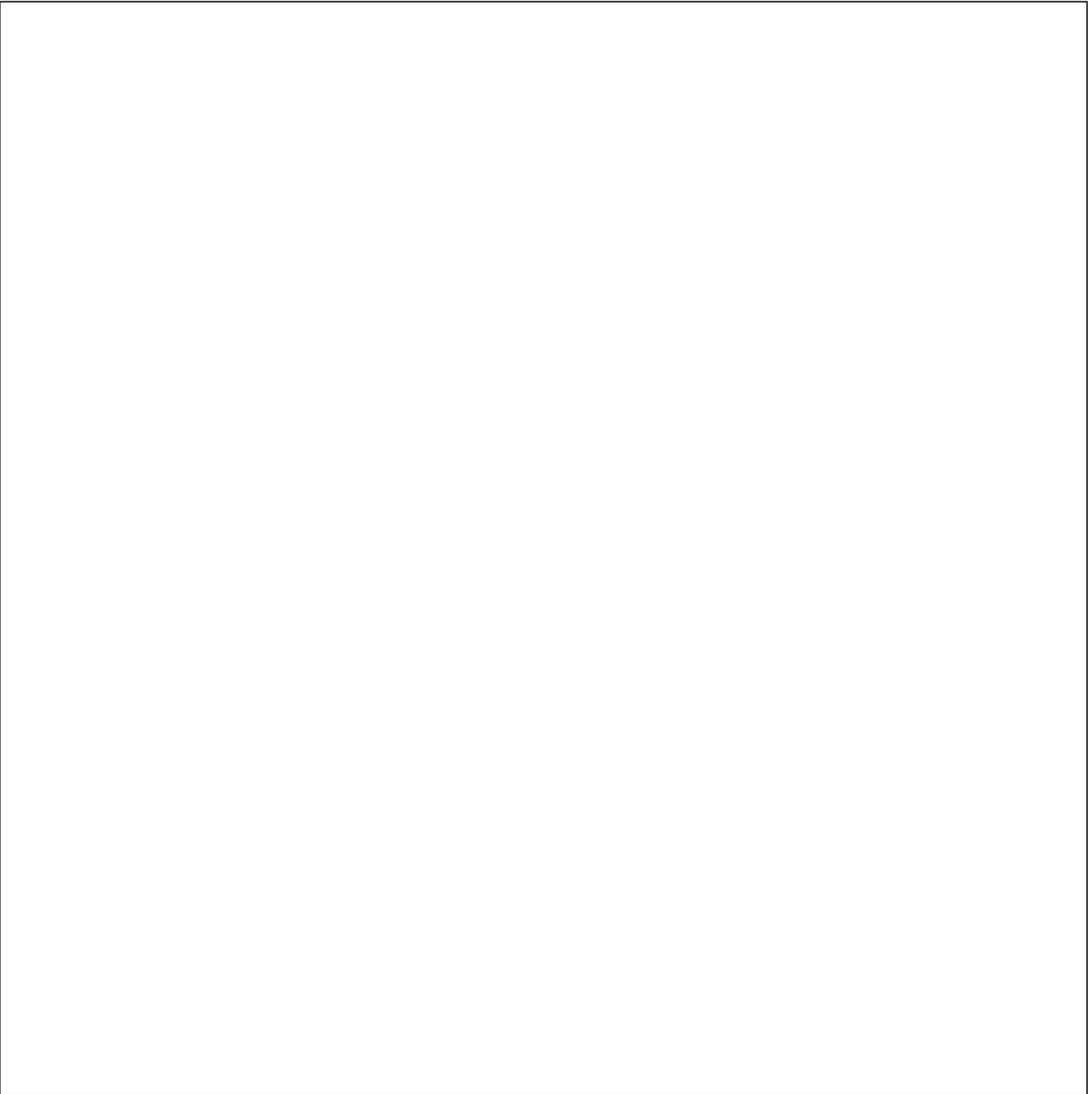
To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**



**Continued from previous page...**

- 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.
- Crossactivity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

If you operate a large event you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000-14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**Continued from previous page...**

- \* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.
- \* [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).
- \* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/coventry/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

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

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**OFFICEUSEONLY**

Applicant reference number	<input type="text" value="585"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMSPayment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and timesubmitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
IsDigitallysigned	<input type="checkbox"/>

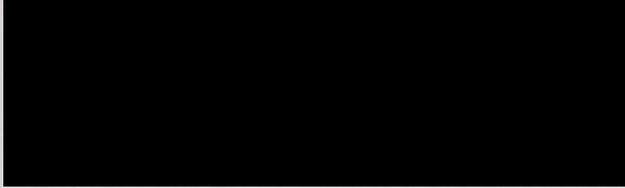
[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Consent of individual to being specified as premises supervisor

RASITHA THAYAPARAN

-----  
[full name of prospective premises supervisor]

of



-----  
[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

NEW PREMISES LICENCE

-----  
[type of application]

by

RASITHA THAYAPARAN

-----  
[name of applicant]

relating to a premises licence

NEW

-----  
[number of existing licence, if any]

for

SWAN LANE EXPRESS  
180 SWAN LANE  
COVENTRY  
CV2 4GB

-----  
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

RASITHA THAYAPARAN

.....  
*[name of applicant]*

concerning the supply of alcohol at

SWAN LANE EXPRESS  
180 SWAN LANE  
COVENTRY  
CV2 4GB

.....  
*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

17LIC20731PERS

.....  
*[insert personal licence number, if any]*

Personal licence issuing authority

RASITHA THAYAPARAN

.....  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

T Rasitha.

Name (please print)

RASITHA THAYAPARAN

Date

25/03/2019

SWAN LANE EXPRESS  
180 SWAN LANE,  
COVENTRY  
CV2 4GB

SCALE 1:100

A: MAIN ENTRANCE

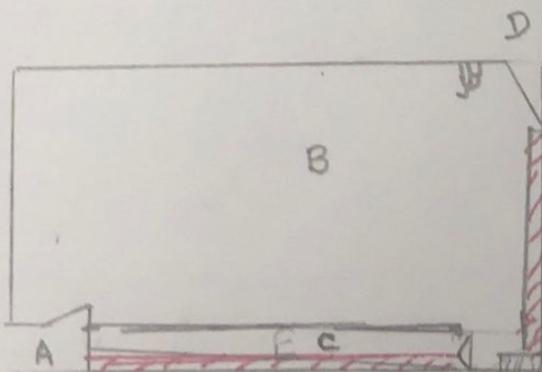
B: RETAIL FLOOR

C: SALES COUNTER

D: FIRE EXIT

: ALCOHOL DISPLAY

: FIRE EXTINGUISHERS



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## Rawlings, Billy

---

**From:** [REDACTED]  
**Sent:** 07 April 2019 21:26  
**To:** Rawlings, Billy  
**Cc:** [REDACTED]  
**Subject:** Sawan lane express 180 Swan lane

Dear Mr Rawlings

I write to you with regards to the above mentioned new premises licence application.

Hillfields is suffering from the worst kind of anti social behaviour; most of these activities occurring outside businesses which open 24/7 or late night Off Licence etc.

Allowing a new late night Off Licence within this residential area will further exacerbate this problem. I believe this will cause stress and inconvenience to local residents who are already suffering from ASB activities.

[REDACTED] I witness the street drinkers, beggars, homeless people, drug addicts, prostitutes and punters who regularly congregate outside the Betting shop and Off License in King William Street causing nuisance and intimidation.

Furthermore, there is already two late night (one 24/7 ) Off license are operating in the area and there is no demand/need for another one.

I therefore ask that you take the above points into consideration and reject this Off license application.

Regards

[REDACTED]

## Rawlings, Billy

---

**From:** [REDACTED]  
**Sent:** 10 April 2019 12:18  
**To:** Rawlings, Billy  
**Cc:** [REDACTED]  
**Subject:** Swan lane express 180 Swan lane

[REDACTED]

Please take this email as a formal objection to the above licence application. Whilst I appreciate that numbers of similar establishments in an area is not a licensing objective in Coventry which is manifestly daft and flies in the face of common sense in Hillfields, it is clear that this establishment will add to potential crime and disorder issues. Hillfields is known I'm afraid as the red light area and this specific area around 180 Swan Lane is a known gathering spot for working girls and their clients. This is also a route to school which does not help when it comes to protecting young people from harm never mind how it will add to improving public health with the cheap supply of alcohol in single cans and small bottles is beyond me.

Regards, [REDACTED]

[REDACTED]

Office: 02476 831545

Blog: [<http://jimoboyle.wordpress.com>]

## Rawlings, Billy

---

**From:** [REDACTED]  
**Sent:** 10 April 2019 11:40  
**To:** Rawlings, Billy  
**Subject:** Objection to the Licence Application for 180 Swan Lane

Morning Mrs Rawlings

I am contacting you with regards to the recent Application for a Alcohol Licence for 180 Swan Lane, Both Myself and the residents of this area Strongly objecting to the Application on the grounds that it will cause massive social devastation to the area, I have worked tirelessly with West Midlands Police, and Coventry Council and the Customs and Excise, the home office, the Prime Minister, and many other agencies over a 14 Year Period to bring the area to a Level that people can and want to live in the area, this has involved a massive amount of work to get us to this point, and one of the problems we have had is Alcohol, it is used by the drug users the homeless and young people in the area, we have seen this in a massive way we have had drug users using alcohol on are stair ways in the buildings we have had young males drinking Alcohol in cars in are car parks, and in one case that led to individuals doing very long prison sentences, we have to clean are car park of the cans and bottles used by theses individuals, and then on top of that we have a very big problem with prostitution, the alcohol is used by the prostitutes, both myself and the police have worked tirelessly with this problem to bring it under control, it is still on going, we have drug dealers working in big numbers in this area, and drugs being sold on a constant basis, not but the other week the police raided a house with 100,000 pounds worth of drugs in one house, that person is now serving a 2 year prison sentence and will be deported, the alcohol goes with theses problems all of the time, and as you can see we have a large number, the granting of this Licence will have a massive effect on are area, the easy access to alcohol would accelerate the massive amount of problems we have in the area, there are already a large number of off Licences in the area, is there a social need for this establishment to be opened and selling Alcohol with a view to the problems we have to suffer in are area, the city development was built with a view to making the area a better and more safer place to live in, we have 300 plus property's with family's with very young children we do not want them to have to go though the devastating life some of there elders have been though, we do not want the area turning back to the dark days of this area, and there is the location of the shop to think about it is on a very busy junction that has had some very bad accidents, in one a child had to be put into a induced coma at Birmingham children's hospital the cars that would park there would cause the likelihood of a accident happening again, since the days it was a shop there has since been 300 plus houses built opposite this changes the demographics of the area since it last operated as a shop, and there will be a very strong possibility this establishment would magnet allsorts of problems for the police, and as we all know they have not got the numbers to constantly deal with theses problems that this establishment would bring to the area, the history of the area tells us all that this would have massive implications for the area turning back the Clock on the area to the dark days, I am a owner occupier of 135 Swan Lane and been in the area for 14 Years and seen the area improve, this would be a devastating blow to the area and all us resident have very good reason to believe the crime would Rocket in the area, and the disturbances would be massive in the area, if you speak to the police and all the councillors they will tell you how much work we have put into this area over a very long time.

Very Kind Regards

[REDACTED]

All e-mails are monitored by Coventry City Council's ICT Security, using Mimecast in accordance with the Regulations of Investigatory Powers Act 2000.

Licensing Team  
Coventry City Council  
PO Box 15  
Council House  
Coventry  
CV1 5RR



11<sup>TH</sup> April 2019

To Whom It May Concern

Dear Sirs

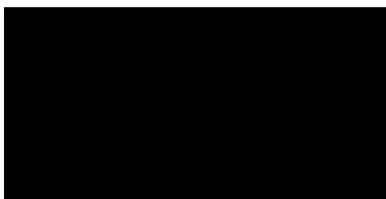
Trabitha Thayaparan  
Swan Lane Express, 180 Swan Lane, Coventry, CV2 4GB  
Licensing Application Monday to Thursday 0700 hours to 0200 hours  
Licensing Application Friday to Saturday 0600 to 0400 hours

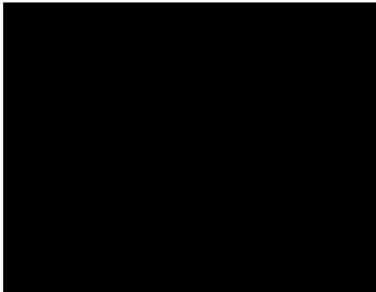
I am writing to object to the above person at the above address applying for the licensing hours for the sale of alcohol as above.

  
 have serious concerns with the sale of alcohol from Swan Lane express in the heart of a residential area. Our main concerns are rowdy behaviour due to alcohol consumption, parking problems on a busy junction whilst people are purchasing alcohol, damage to the adjoining property due to alcohol consumption and drunken behaviour. There will also be a great deal of noise in the very late evening/early hours of the morning. This is a residential area, and  does shiftwork which means her ability to sleep is restricted to certain hours. Discarded and broken bottles are already a problem, and this will increase. This will also restrict the letting/selling of my property should  decide to move elsewhere. In fact it would probably mean that few families would want to live in the area, especially if they have young children or need their sleep because of an early morning start. It will lead to a decline in this area.

Can you please notify me of your decision.

Yours faithfully





16-04-2019

To Whom it may concern

Trabitha Thayaparan

Swan Lane Express 180 Swan Lane Coventry, Licensing Application Monday to Thursday 0700 - 0200 hours, Friday and Saturday 6-4.

I am writing to object to the opening hours and the sale of alcohol within these times. This is a residential area and has numerous shops within walking distance that sell alcohol. My concerns are noisy and unreasonable behaviour due to the opening times.

According to noise ordinance and local laws prohibiting excess and unnecessary noise during specified time periods such as between 10pm and 7am on weekdays. I can only presume from recordings I have all ready of noise being made at unreasonable times this includes, drilling, banging and moving heavy equipment that these laws mean nothing to my neighbour.

I understand that the Crime and Policing act have powers to deal with anti social behaviour which is why I have started recording the noise from the adjoining property.

As a shift worker the noise from the shutters being opened and closed, and the type of behaviour it would bring to the area would have a effect on me enjoying my home, and getting enough rest as my bedroom is next to the shutters.

I have all ready experienced empty beer bottles being thrown into my back garden and I fear this problem will escalate once alcohol is to be served on the property.

Can you please notify me of your decision

Yours sincerely



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## Rawlings, Billy

---

**From:** Chaplin, Neil  
**Sent:** 29 April 2019 08:29  
**To:** Rawlings, Billy  
**Subject:** FW: Swan Lane Express, 180 Swan Lane, Coventry

Hi Billy

Just to confirm there is a typo in one of my emails and the hours should read Sun – Thurs 08.00 – 23.00hrs and Fri and Sat 08.00 – 00.00hrs. We knew what we meant and Mr Suresh has confirmed agreement anyway.

Thanks

Neil

---

**From:** ARKA LICENSING <[contact@arkalicensing.co.uk](mailto:contact@arkalicensing.co.uk)>  
**Sent:** 26 April 2019 15:14  
**To:** Chaplin, Neil <[Neil.Chaplin@coventry.gov.uk](mailto:Neil.Chaplin@coventry.gov.uk)>  
**Subject:** Re: Swan Lane Express, 180 Swan Lane, Coventry

Yes of course - agreed.

-----  
Consultant  
Arka Licensing

-----  
Tel: (0203) 405 1886  
Mob: 07714 495 287  
E-mail: [contact@arkalicensing.co.uk](mailto:contact@arkalicensing.co.uk)

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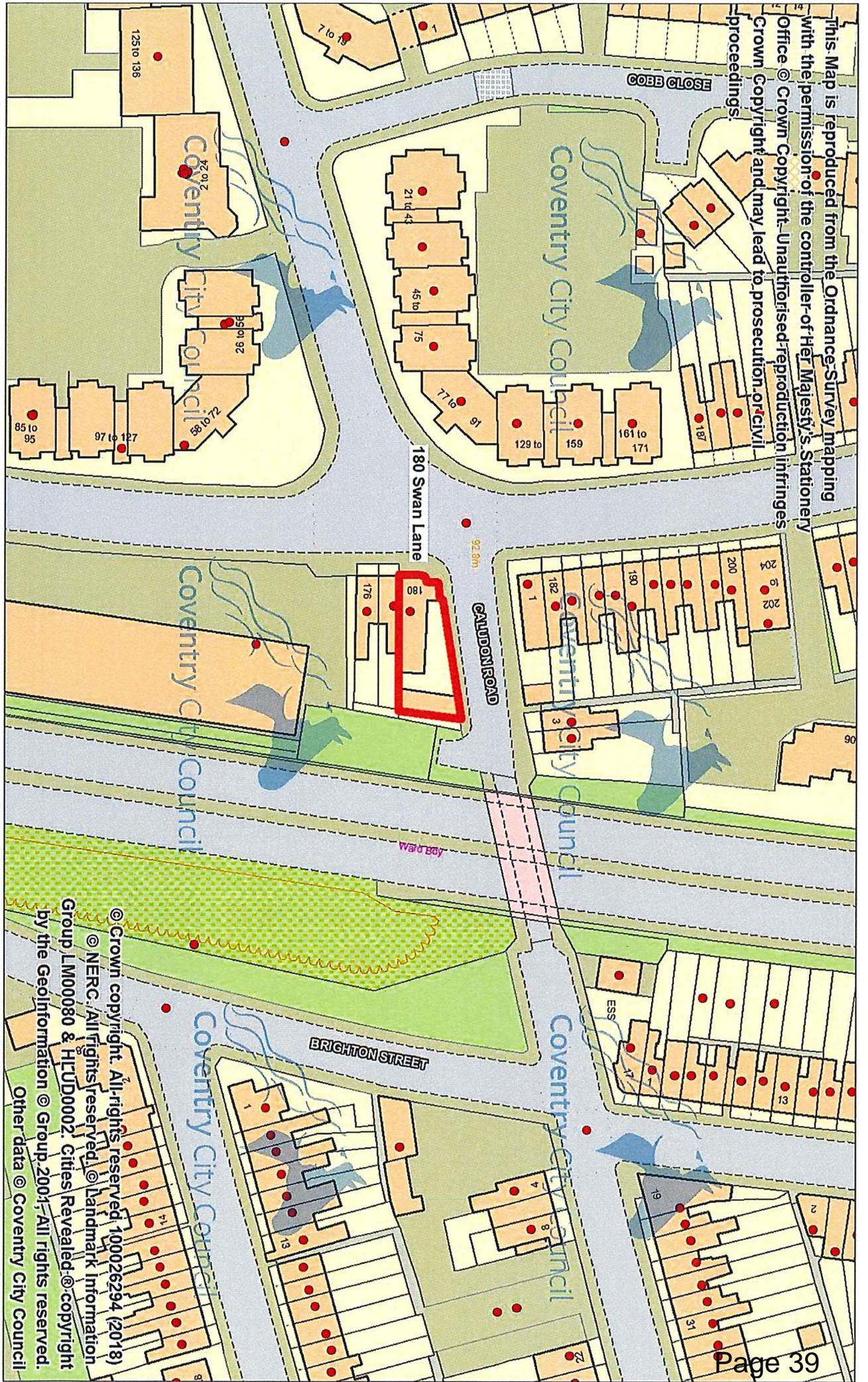
**From:** Chaplin, Neil <[Neil.Chaplin@coventry.gov.uk](mailto:Neil.Chaplin@coventry.gov.uk)>  
**Sent:** 26 April 2019 13:57  
**To:** ARKA LICENSING  
**Subject:** RE: Swan Lane Express, 180 Swan Lane, Coventry

Thank you Suresh - and the wording of the condition? ('Clear and prominent notices shall be displayed at the exit(s) requesting customers leave the area in a quiet and orderly manner')

Neil



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Environmental Protection  
 Coventry City Council  
 One Friargate  
 Coventry  
 CV1 2GN



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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 1 – Hearing to Consider a Premises Licence Application

##### Background

A Premises Licence is required before any licensable activity can take place on any land, vehicle or vessel and where that activity will not be covered by a Club Premises Certificate or a Temporary Event Notice. The application can be made by a living individual aged 18+ or by a corporation. The application must include an "operating schedule" and a plan of the premises. If it is intended to supply alcohol from the premises, the application must specify a "Designated Premises Supervisor" who will be the person having day-to-day responsibility for the premises. The "Operating Schedule" states the kinds of licensable activities that will be taking place on the premises, the proposed times of opening and the steps proposed to promote the four licensing objectives. Premises Licences remain in force indefinitely unless a time-limited licence has been requested.

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 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 grant 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 with additional or modified conditions; or
- (c) exclude one or more licensable activities from taking place on the premises; or
- (d) where the Police have objected to the proposed DPS, refuse to agree to the proposed "designated premises supervisor"; or
- (e) reject the application outright

### Rights of Appeal

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

### 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.